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Tuesday, 26 June 2018

Legislative Assembly

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

ARTHUR MARSHALL, OAM

Condolence Motion

MR M. McGOWAN (Rockingham — Premier) [2.01 pm] — without notice: I move —

That this house records its sincere regret at the death of Mr Arthur Dix Marshall and tenders its deep sympathy to his family.

I start by acknowledging the members of Arthur's family who are here in the gallery today: his wife, Helen; his children Scott and Dixie; their partners, Megan and Luke; and his grandchildren Tom, Abby, Jack, Matilda and Charlie. Arthur Marshall was elected to this place in 1993 as the member for Murray. He is a member whom all sides of this chamber remember fondly.

Born in 1934 in East Fremantle to parents, Horrie and Eunice, Arthur was for most of his life prior to his election a sportsman, and he descended from sporting stock. His father, Horrie, was a champion cyclist; his mother, Eunice, was club champion at East Fremantle Bowling Club; and grandfather Arthur was reportedly one of the top footballers in the goldfields until he was lured to East Fremantle Football Club for two shillings and sixpence a game plus a job on the wharf. Arthur, although known as a tennis player, also excelled as a footballer for East Fremantle and played table tennis and pennant squash. However, he excelled at tennis, and following some time on the European tour, qualified for Wimbledon in 1955, and again in 1956, when he made it to the third round. He lost his final set 22–20. Following this, however, he found himself, like so many sportsmen in this era, caught in the limbo that came with being a professional player rather than an amateur and was unable to compete at Wimbledon the following year. Regardless, Arthur would go on to achieve great success off the world circuit.

In 1960, he married Helen and opened the Arthur Marshall Tennis Academy, which went on to be one of the largest tennis academies in Australia. Although focused south of the river, he also ran classes across regional Western Australia, where to this day a deep love of tennis abides. It is estimated that he coached around 3 500 students over his career, whether it was a promising young Western Australian boy or girl, or one of his private, mature-age students, such as Alan Bond—although it is difficult to imagine Alan Bond being motivated to hit his serves for a can of coke as a reward!

Arthur's all-rounder nature on the sporting field was matched in his career. He was a businessman, radio and television presenter, commentator, promoter, journalist and justice of the peace. But he still had more to add to this already impressive résumé. In 1993, after his semiretirement, he was elected to the seat of Murray in this Parliament. He noted in his valedictory speech that he was initially reluctant to put up his hand for Murray, but, at age 57, he felt he needed a challenge that would distract him from dwelling on the possibility that the kidney cancer he had beaten a few years prior would come back. He would eventually switch to the seat of Dawesville following Murray's abolition in a redistribution. He went on to serve as Parliamentary Secretary Assisting the Minister for Mines; Tourism; Sport and Recreation from 1997 to 2001.

Importantly for this chamber, Arthur himself noted in his valedictory speech that he contributed three important reforms to Parliament. Firstly, he apparently initiated the current system of desks with shelves, lights and microphones that are in front of us today. Secondly, he worked with Graham Edwards to install disability-friendly toilets in Parliament. He noted with some regret that by the time they were operational, Graham was in the federal Parliament and unable to carve his name on the stall. Thirdly, he spearheaded the development of the parliamentary wine, which, for members needing a raffle gift or a decent affordable drop, has been a godsend. He retired in 2005, to be succeeded by Dr Kim Hames.

In 2006, he was awarded the Medal of the Order of Australia for service to the community through fundraising for a range of not-for-profit organisations, to sport, and to the Parliament of Western Australia. On top of this, he was a life member of the East Fremantle Lawn Tennis Club, South Mandurah Tennis Club, Tennis Seniors Western Australia, Tennis West, East Fremantle Football Club, and Peel Thunder Football Club, which he campaigned to have admitted to the West Australian Football League. He was the inaugural chairman of the Peel Health Campus fund, for which he raised funds to finance a new paediatric wing.

I remember Arthur from the first two terms I was in this place. He was an enthusiastic debater and was always prepared to get up and have a go. He was formidable during parliamentary estimates hearings, at which he used to represent Hon Norman Moore. His capacity, in any context, to come up with a sporting analogy to deal with any issue or argument was legendary. As a young opposition spokesperson trying to get to the nub of issues whilst

Arthur was defending valiantly with sporting analogies, I found it somewhat infuriating at that time. He was well liked across the chamber and quite a raconteur. People always like talking to him because much of Western Australia's history was wrapped up in Arthur. He knew lots of people, lots of places and lots of things that had occurred, and he was always willing to have a chat about them. He was a very loyal and committed Liberal Party member. At one time—it was legendary—he ran in the Fremantle electorate by-election, which saw Jim McGinty elected, and apparently did very well in that election campaign in 1990, or thereabouts. He was very proud of that. I am not sure, but I do not think he liked Jim much, so he was very proud of how well he did in that campaign in 1990.

In his valedictory speech, Arthur gave a piece of advice to younger members about longevity, and it remains sage advice for all members of Parliament. He said —

... it is better to be a flickering flame that never goes out, than a flash in the pan.

Vale Arthur Marshall.

Members: Hear, hear!

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.08 pm]: Arthur Marshall will be remembered as both a great Western Australian sportsman and an effective and greatly respected local representative and member of the Legislative Assembly.

He was born in East Fremantle in August 1934, and East Fremantle never left the boy. The son of bookmaker and former champion cyclist Horrie Marshall, he was educated at Palmyra Primary School, Fremantle Boys High School and Wesley College, where he was house captain and prefect, and Wesley never left the boy. Arthur subsequently served as a member of the Wesley College council, foundation president of Old Wesley Football Club, president and life member of the Old Wesley Collegians' Association and a life member of the Wesley College Parents' and Friends' Association. Altogether, he became a life member of eight different organisations. In 2000, he was inducted into the Wesley College hall of fame.

Having qualified as a level 3 tennis coach, Arthur built his career as a tennis professional playing professional tennis during a two-year stint overseas with his good mate Bruce Francis. One of the great stories I heard at the funeral was about the two of them going to Italy with no money, where they bought a Lambretta motorcycle. They piled onto it with four tennis rackets and limited gear, and drove around Europe, Britain and the United States for two solid years. It would have been an excellent coming-of-age movie and, of course, you can read it in the book that he was still trying to sell at his funeral, titled *Never a Dull Moment*.

He built a career as a sports businessman, creating Arthur Marshall Tennis World in East Fremantle and Claremont, and the Arthur Marshall Tennis Academy, eventually with 50 instructors coaching over 3 500 students. He represented our state in tennis and table tennis, and played at Wimbledon, as I said, in 1955 and 1956, reaching the first and third rounds respectively. Arthur was president and life member of the East Fremantle Tennis Club, the Veterans Tennis Association of Western Australia, and of the Tennis Professionals Association of WA. In 1987 he was awarded Coach of the Year by Tennis WA. He also played A-grade squash between 1957 and 1962 and played league football for East Fremantle in 1954 and from 1958 to 1961. He became a vice-patron and life member of the East Fremantle Football Club. Thanks to both his sporting achievement and communication skills, Arthur Marshall served as a football commentator on Channel Seven, and also wrote a column on tennis for 20 years.

Without seeking a political career, Arthur agreed in 1990 to a request from Hon Clive Griffiths, MLC, to nominate as the Liberal candidate in the Fremantle by-election on 26 May following the resignation of former Deputy Premier David Parker. He led the poll in a field of 11 candidates, finishing 350 votes ahead of the Australian Labor Party with 35.7 per cent of the primary vote. At the final distribution of Green preferences, he was defeated by Jim McGinty by 1 740 votes, but his final percentage of 45.1 stands as the strongest Liberal result in the district of Fremantle since 1921. Not since 1910 had a non-Labor candidate in the port city led on primary votes. It was a good outcome. He also lectured anybody who would listen to him, including me, that the only way to win is to go door to door and talk, which I did. The only problem he had was that he was a talker, and when he went door to door, he had to spend a lot of time doing so, because he talked a lot.

A year later Arthur had to overcome kidney cancer and during his semiretirement, he relocated to Mandurah. In 1992, at the age of 57, he was persuaded to nominate for the district of Murray, a seat that then comprised the Shire of Murray and the outer sections of Mandurah. Murray had been narrowly won for the Australian Labor Party by Keith Read in 1989, but subsequent strong enrolment growth in Coodanup and Greenfields weakened the Liberal electoral prospects. Arthur won Liberal preselection, with a very senior member of the selection panel commending him as a candidate and future member, describing Arthur as having an essentially sunny personality like that of Sir David Brand. Arthur campaigned hard, again doorknocking—that was a hard electorate to doorknock in—and in February 1993 was elected for Murray with a margin of 368 votes and a two-party preferred vote of 51.3 per cent. The gain of Murray with a swing of 2.2 per cent was one of six seats that ensured victory for

the Richard Court coalition government. A redistribution created the district of Dawesville, based on the southern part of the City of Mandurah, but still including Coodanup and Greenfields. At the December 1996 election, Arthur's efforts as a local member were rewarded with a further swing of 5.3 per cent and a final majority of 2 450 votes, or just shy of 60 per cent.

His community involvement was reflected by his life memberships of the South Mandurah Tennis Club and Peel Thunder Football Club, where he founded and chaired its 100 Club and campaigned for its inclusion in the West Australian Football League. He was assiduous in his support of all local sport, and later was to advise aspiring Liberal candidates that they should never neglect to attend netball games if they wanted to get the women's vote. I heard that from him myself, and it is right. It was altogether appropriate that from 1997 to 2001 Arthur Marshall served as Parliamentary Secretary Assisting the Minister for Mines; Tourism; Sport and Recreation. Within the Parliamentary Liberal Party he was nicknamed "the Coach", as he forcefully advocated cooperation and teamwork, especially in the difficult early years of opposition after 2001. As he reflected in his valedictory speech —

... I certainly pricked a few consciences on the difference between selfishness, individualism and power plays.

As captain of the Parliamentary Sports Club, he created the first parliamentary tennis team. Clearly, he had advantages there. He was proud to enjoy friendships across party lines and in his first term, quite literally, extended the hand of friendship across the chamber when a Labor member had just made a difficult and embarrassing personal statement.

Arthur was justly proud of his achievements for the people of Murray and Dawesville. He secured a surplus Homeswest house to serve as the Barragup preprimary school, and then persuaded Alcoa to pay for its transport from Hilton—just to illustrate his commitment. Arthur's term saw the completion of the Dawesville Cut and the Mandurah Performing Arts Centre. He served for five years on the Mandurah Ocean Marina Taskforce and his constant advocacy resulted in the expansion of the Peel hospital from 30 to 150 beds. In the adverse electoral climate of 2001, Arthur retained Dawesville by 855 votes, or just shy of 53 per cent, despite preferences being directed against him. In his final term, he served as opposition spokesman for sport and recreation, road safety and the Peel region. In 2005, he campaigned strongly for Kim Hames as his Liberal successor in Dawesville, when a drop of 3.7 per cent in the Liberal vote reflected the extent of the loss of his personal following. After leaving Parliament, he continued his community service as inaugural chairman of the Peel Health Campus Foundation from 2005 to 2010, for which he persistently raised funds. He continued as a most effective fundraiser for a range of charities and was awarded a Medal of the Order of Australia in 2006. Arthur would have been celebrated as a great Western Australian sporting figure whether or not he had entered Parliament; however, his parliamentary service was of equal value and significance. In two elections, in 1993 and 2001, his reputation, personality and campaigning made the difference between defeat and victory. Without holding cabinet office, he was a notable force for constructive good in Parliament and the electorate during his 12 years' service. His sunny nature and strong family and community values reflected the fact that Arthur was a very good human being.

Arthur and Helen enjoyed a most happy marriage for 58 years. We extend our condolences to Helen, their sons, Clark and Scott, their daughter, Dixie, and to their families. Arthur's was a life lived large and to the full, and definitely, there was never a dull moment.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [2.18 pm]: I rise on behalf of my colleagues in the Nationals WA to express our condolences on the passing of Arthur Marshall, OAM, to his wife; sons, Clark and Scott; daughter, Dixie; and their respective families, some of whom are here today in the gallery. Originally elected to the seat of Murray, Arthur certainly had his work cut out for him. The Murray electorate encompassed everything surrounding, but not including, Mandurah. This meant that Arthur had to balance the concerns of the dairy farmers in Coolup with those of the young families in Greenfields. Even after his seat was abolished and he became the member for Dawesville, *Hansard* and the public record shows that he supported efforts to assist and advocate for rural and regional Australia far beyond his own electorate. He was passionate about the electorate, advocating at times for a bus line to Mandurah and later a train line. We have also heard about his advocacy for upgrades to the Peel hospital from 30 to 150 beds, and how he oversaw the completion of the Dawesville Channel project, realised the Dwellingup library and Barragup preprimary school for those respective communities, and assisted the Dwellingup caravan park in gaining heritage status. He was such a strong advocate for sport within the community, which is absolutely no surprise, considering his enormous sporting prowess as a tennis world champion. He worked and advocated tirelessly for Peel Thunder to be admitted into the WAFL. We noted that he also supported bills such as the Human Reproductive Technology Amendment Bill in 2005, and said it was because it would provide hope for his and other constituents across Australia.

On a more sombre note, I understand that after the 2004 Boxing Day tsunami, Arthur helped many families find their children, mothers and fathers and return them to their homes. It is understandable that for these reasons he was granted a Medal of the Order of Australia in 2006. His aim to help people to better their lives was most definitely achieved, not just once but over and again throughout his public life. May he be forever remembered as a man of integrity and remain an inspiration for future members of this Parliament for Western Australia.

To his family, we in this house understand what it is like to share family members with the public. You are no doubt enormously proud of him and we thank you for sharing him with us and the broader community. My parliamentary colleague Peter Rundle will provide a more in-depth contribution on behalf of the Nationals WA; he knew him very well.

MRS M.H. ROBERTS (Midland — Minister for Police) [2.20 pm]: I am keen to make a contribution to this condolence motion for the late Arthur Marshall. Arthur Marshall was someone I got to know when I was about 12 years old, because, as has already been remarked on, he was a tennis coach in Western Australia. He was one of the most prominent and prolific coaches in WA. When I was at primary school, I went to one of his rivals, Bruce Robinson at the Mount Lawley Tennis Club, but once I started high school, Arthur was tennis coach there. I was a long way from being a star tennis player; indeed, I was not particularly keen on sport at all, but Arthur always made it enjoyable. It is without question that he had an impact on the lives of thousands of Western Australians and probably came into contact with tens of thousands of young Western Australians through his coaching career.

I always say that I was kind of an only child. I was certainly my mother's only child whilst I was at school. Mum decided that in the school holidays it would really benefit me to mix with other children, so she sent me to something called the Arthur Marshall sports camp, which, surprisingly, was held at Wesley College. Whilst the boarders and everyone were not in their accommodation, he held the sports camp there, and we would go there for a week. I did not particularly want to go. I certainly did not want to sleep in a kind of dormitory with lots of other people I did not know. I was fairly new to the school and I had made an assumption that other kids from the school would go, but most of my friends at an all-girls catholic school were from very large families who did not need the social integration of being sent off to the Arthur Marshall sports camp. I arrived at Wesley College, having been kind of an only child, and slept in a dormitory and was part of this full-on experience that Arthur had organised for us. As part of the sports camp we did not just play tennis; we did everything. Arthur took us tenpin bowling, we played table tennis and he took us to the Tattersalls club—I did not even know what that was when we went there—where we experienced a sauna and then a deep plunge thing and whatever else. There was no aspect of sport we did not get to experience. We would be playing something before breakfast and something before morning tea. Arthur would then give us further coaching tips while we ate and he would do this thing that anyone who went to the sports camps would remember. Arthur was larger than life, and whilst we were sitting there eating dinner, he would say, "I'll just pretend I am such and such from Channel Seven", or somewhere or other, and he would interview people and there would be this whole carry-on. Arthur was big on trophies, and I received a number of trophies from Arthur over time. I got the trophy for fencing, as in sword fighting; I got the runner-up for table tennis, which is what we did after dinner at night-time, because you just could not stop playing some kind of sport, even after dinner.

Subsequently, as a member of Parliament, I got another trophy from him. We went on a committee trip during which I got to know Arthur much better as an adult. On the committee trip was Dr Kim Hames, Rhonda Parker and Roger Nicholls. We were supposed to have Judy Edwards, but she had recently had a child, so Judy did not travel with us. As a result, I went on the committee trip with a bit of trepidation that these other three Liberals were going to outnumber me and push me off the nearest cliff! As it turned out, one of the other members nearly got pushed off a cliff, I think, rather than me. Arthur got to know people on both sides of the house and he made friends on both sides of the house. Arthur and I found pretty quickly that we had a lot of things in common. His father was a bookmaker and my grandfather, who assisted in bringing me up, was also an old SP bookmaker, so we had a lot in common to talk about. Arthur was great company. At various times he would allocate duties and say what we would be doing, but it was always a lot of fun being in Arthur's company. He would try to coach everyone and tell them where they were going. He was taking a very special interest in Kim Hames. Keep in mind that at this time none of those three members of Parliament, who all eventually became ministers, had been a minister. Arthur's favourite, without doubt, was Kim Hames, and he was coaching him to be a minister. He would say to me, "I am trying to teach him. Do you know the story of the old bull and the young bull?" You would get another story from Arthur about what he was trying to achieve and the advice he was giving. We had a few fractious moments on this committee trip, but at the end of the day, before we flew home, we had a committee dinner—the last meal together before we got on the plane to come back to WA. I think Arthur had been at the Lincoln Memorial, and while he was there he had bought Lincoln Memorial medals. At this dinner he stood up and gave us all an award. He gave a special presentation to everybody and everyone's award was for something different—for whatever positive contribution he thought we had made to that particular trip and to the group or the committee's work. That is the kind of guy he was.

He had a smile as big as his heart. He was a generous person. His smile is hard to forget and he never let an opportunity go by. I remember when I was Minister for Housing and Works, he sidled up to me and said, "Now, about my Mandurah hospital and this children's wing, it's going to cost a lot of money if Building Management and Works do it. I've got a plan; we could do it another way. We could involve local contractors and whatever." Arthur never took no for an answer. He probably had Kim Hames and others people in tow, but Arthur was the organiser. He was raising the money for this children's ward at the Mandurah hospital. He

was going to make it happen and wanted to get the best bang for his buck in terms of the dollars he raised. He did not want a government agency taking a percentage when it was employing the contractors. After a lot of process and so forth, we came up with a way of trialling this new procurement method, which I think was used pretty successfully on that occasion.

I, too, certainly want to express my condolences to Helen, Dixie, Scott, Clark and their respective families. Arthur will leave a really big gap, because he was a larger-than-life character. He was a friendly character. He was someone who loved to laugh at a joke, but who also had time for people who were in need. He was one of the great characters of this place. I think we were fortunate to have him here contributing to the Parliament, and without doubt the people of Dawesville were very fortunate to have him as their local member of Parliament.

MR J.E. McGRATH (South Perth) [2.28 pm]: I rise to make a few comments about my good friend Arthur Marshall. Other members have mentioned Arthur's curriculum vitae, which we all know is most impressive, but I am going to tell a couple of stories about Arthur, whom I got to know once I came to this place. Like the member for Midland, my two children also went to one of those camps at Wesley College, and my daughter reminded me that a very young Dixie Marshall got the girls down and gave them some coaching and tuition. I said, "I had a bit of coaching from Dixie too when she worked for the former Premier, and I am sure it would have been spot on!" Erin went on to become quite a good player at Mercedes College. She was the captain of one of the teams and, as a result of the tuition, she joined the Royal King's Park Tennis Club, so we felt a lot of gratitude to Arthur at that time when I was a young fellow bringing up a young family.

But I got to know Arthur more when I got into Parliament. Trevor Sprigg was a member of Parliament at the time and Arthur had got hold of Trevor and said, "We've got this parliamentary sports club and we have a bowls team. All the old bowlers are dying off and we need some younger MPs to get involved in the bowls." I said, "Okay; all right", and within a year or two, I was elected captain of the bowls team. One of the captain's jobs was to select the teams when we went away. Every year a bowls carnival is held in another city, and it rotates around Australia. We were getting ready for this bowls carnival and had 12 players nominated to travel to, I think, Adelaide. I got a call from Arthur, who said, "How are you going with the teams?" I said, "What I'm planning to do, Arthur, is, because we've got 12 players, pick three nice even teams." He said, "Don't you want to win?" I said that I did and he said, "Pick the best team and don't worry about the others. Just pick one good team and they'll win." So we picked a team and that team won three titles in a row, much to the disappointment of the then member for Murray-Wellington and the Speaker, who did not make it on to the A team.

The SPEAKER: It was Liberal bias!

Mr J.E. McGRATH: I can say to them that they have Arthur to blame for that. Arthur was a winner and he said, "If you want to win, you put the best team in." He did not believe in socialism, even in bowls!

I grew up in Fremantle, like Arthur did. He grew up in Palmyra and I grew up in Hamilton Hill. I reckon Palmyra would have been a bit like Toorak compared with Hamilton Hill, but it was a tough, working-class area. As a young boy, I remember Arthur playing for East Fremantle in his first year. I think that was 1954. He went away to Wimbledon and then came back and played again. Arthur was a great raconteur; he loved to tell stories. He told us a story about the first game he played against South Fremantle. He was playing on the half-forward flank. He knew the South Fremantle guy he was playing on because they had grown up in the area he lived in as a kid and he used to say, "How are you going, young Marshall?" Arthur was playing on him on this day in his first ever game and thought, "This bloke will look after me." But the first thing the guy did was hit him. Soon after that, Jack Sheedy, the captain of East Fremantle, came trotting down and said, "Arthur, go into the middle. I'll stay here." Arthur looked around and the next thing he saw was that the bloke who had hit him was on the ground. As they were going off at quarter time, Jack said, "Hit the kid again and I'll give you another one!" Arthur did not mind embellishing his stories, but they were always great stories.

Whenever we went and played bowls, Arthur would always get up and grab hold of the microphone; you could not keep him away from it. He was very entertaining. Politicians from every state and different parties would be there and Arthur would take control of the night and regale them with stories from the past. I remember on the Friday after a bowls carnival in Perth, we organised a river cruise down to Fremantle. These people had been sitting on the boat looking at millionaires' row, the beautiful Swan River, Point Walter and all those places. When we went past Blackwall Reach, which has been in the news lately, Arthur grabbed the microphone and said, "Very soon we'll be passing an area that has produced more great sports people than any other place in the world—East Fremantle!" That is what Arthur was like; he loved East Fremantle. His greatest love was Fremantle and the East Fremantle Football Club. He played for the club and was a life member. He ended up a vice patron of the club and I am still a vice patron of the Sharks. He was a top lawn bowler, a very good golfer, and, obviously, a very good tennis player, playing at Wimbledon two years running. He was also the state champion table tennis player and an A-grade squash player. Apart from being a great sportsperson, he went on and became a commentator. Last night I was sitting at home and thought, "I want to hear Arthur do some commentary." I looked up the 1979 grand final, in which, as the Minister for Transport and the member for Armadale would be well aware, East Fremantle beat South Fremantle in front of a record crowd. Arthur was calling the game and I said to myself, "This guy would

be as good as any of the modern day callers.” For a guy who did not have training in media or anything like that, he was very professional. I remember one of his lines during the first quarter when there was plenty of excitement. This is where his parochial Fremantle-ism came out. He said, “Talk about a partisan crowd! Even the breeze is coming up from Fremantle—a strong southerly. Ninety-five per cent of the crowd are Fremantle folk.” Arthur would not have known that at all. A lot of people might go to grand finals who might not barrack for the two teams, but Arthur was all about Fremantle.

Arthur was probably the most decent person I have ever met. I never heard him swear or say anything in anger. I never heard him say anything negative; he was always positive. He would have gone into that Fremantle by-election to win. He would have been positive, even though he probably had no chance. He was a very positive person. Arthur did lean on you from time to time. I got a call from him one day. He said, “John, I want a favour.” I asked, “What’s that, Arthur?” He said, “I want you to sponsor the East Fremantle Bowls Club.” I told him that it was not even in my electorate. He said, “There are a lot of Labor people down there and we need a bit of Liberal presence.” I think he got Simon O’Brien and he ended up getting me to say okay, so I had a sign at the East Fremantle Bowls Club that was there for a couple of years until I could sneak it away without Arthur knowing.

I remember when we went down to the Pinjarra Golf Club for a charity day—I think it was for breast cancer or something like that—and Arthur wanted a few members of Parliament to go down. Arthur did an auction. When he did an auction you would be sitting there, not even put your hand up and he would say, “\$200—John McGrath!” Afterwards, he would pat you on the back and say, “You didn’t mind, did you?”

To Arthur’s family—Helen, Dixie, and Scott—he was a wonderful man and one of the most amazing people I have ever met. We really will miss him. The bowls will not be the same without Arthur. I am just wondering whether the Minister for Sport and Recreation or the Speaker will be trying to get his spot in the A team when we play next year.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.38 pm]: It is great to be able to speak about the late Arthur Marshall, OAM. In 1993 I stood for the seat of Mandurah—I was only a very young fellow at the time—and was defeated. At the time, Arthur was elected to the seat of Murray, defeating Labor’s Keith Read. However, in 1994 when I won a seat on the City of Mandurah council, one of the first people to ring me to congratulate me was Arthur Marshall. In subsequent elections and the 2001 election, when I was successful in winning the seat of Mandurah, again, one of first people to ring to congratulate me was Arthur. From that moment on he would call me his apprentice. He said to me, “Just stick by me and watch what I do and learn.” That started a really enduring relationship in this place even though, of course, we were on opposite sides. Back then I was part of the Gallop and then Carpenter governments and Arthur was on the other side. During that time we had some great spars.

During the years of the Gallop government the Perth–Mandurah rail line was being constructed. There was always to-ing and fro-ing when motions were put forward and when the bill to build the Mandurah line was presented to the house. There was an ongoing to-ing and fro-ing between, particularly, Arthur and I. I, of course, always said that we were going to build it and that we had thought of it first. Arthur would always say, “We thought of it first.” During a particularly interesting debate I went off on what I must admit was a high-powered very rapid-fire attack about how the Liberal Party would never deliver it and only the Labor Party would deliver it. I went on for a little while and at the end of the speech I said, “That is why the government will deliver it to the people of Mandurah in 2006.” Arthur stood up straightaway and stated —

The address by the member for Mandurah would have to be the greatest piece of hogwash that I have heard ... Before we gave Mandurah its performing arts centre the member was unheard of. He did a few courses in acting. The House has just seen an act. It would not have won an Academy Award. I think that, as a little boy, the member played by himself too much and did not reach adolescence. That was a lightweight performance.

He loved using that word “lightweight”. That was when the great wager was placed. To conclude his speech, Arthur then said —

I have a small wager with the—for the moment—Minister for Planning and Infrastructure that the track will not be finished by 2006.

He said it would not and, of course, everyone knows that was like a red rag to a bull for Hon Alannah MacTiernan so, in the dying days of 2006, I think it was very late in December, Alannah rang me and said, “Look, we’ve got to get Arthur on this bet.” There was no electrification of the track at that stage but the rails were down, so she told me to meet her at a little siding near Wellard. She had a diesel locomotive ready and had told Arthur that he had to meet us at a certain time at the train station in Mandurah, which had not been completed; the platform was still incomplete. We chugged off and the thing was going only about 10 kilometres an hour. It was very confined and it was very interesting to be in a confined space with Alannah and the driver. As we pulled in to the Mandurah train station, there, standing on the side of the platform with a bottle of Moët in a box—because he said, “I’ll bet you a bottle of Moët”—was Arthur Marshall. He was standing there, waving. I think the press were there too.

When we dismounted from this interesting diesel locomotive, Arthur presented the bottle of Moët to Alannah. She said, “Arthur, thank you very much. It is wonderful that you have honoured the bet!” It was not until later when she got back to the office that she opened it and realised that he had decanted the real Moët out and it was a cheap bottle of stale proverbial that he had given her. It was a great laugh!

He was also a great raconteur and very good at being able to get money out of anyone. When he was getting money to set up Peel football club, he rang a range of people including me; Kim Beazley, who was the federal member for Brand; and John Cowdell, who was the upper house member for the area. He said, “I want you to give me \$1 000 each as a promissory note. You’ll get it back!” He said about 20 people had promised \$1 000 and, “You wouldn’t want to be one who doesn’t promise!” So, of course, I said, “No, no; here’s the cheque, Arthur.” He said, “You’ll get it back; you’ll get it back!” Years later, I said to John Cowdell one day, “That promissory note that you gave Arthur, did you ever get it back?” He said he had got his back and I asked about Kim Beazley. He said Kim got his back too! I am afraid, Helen, I did not get mine back!

Another great thing, which the member for South Perth mentioned, was that Arthur was a great supporter of volunteers, including the Zonta Club of Western Australia. On 27 June 2002, when Arthur was speaking in Parliament about the Volunteers (Protection from Liability) Bill 2002, he mentioned the Zonta club running an annual breast cancer fundraising event. I called out to him during that debate —

Mr Templeman: Did you have a go this year? I had a go.

Mr MARSHALL: The member for Mandurah picked up the booby prize.

Mr Templeman: No. Actually, I did all right.

Mr MARSHALL: I am too polite to mention the prize the member got.

Mr Templeman: I did not see you there.

Mr MARSHALL: If the member recalls, I did the auction. He shot through, not contributing a zack, because he knew I would get him for about \$100.

Mr Templeman: You’re misleading the House. I thought you said ...

Anyway, he said that I would probably change my mind and I said I was deeply hurt and wounded. Then he had a bit of a go, because he had these great little barbs, about how many life memberships he had. He called out to me, “By the way, how many life memberships does the member for Mandurah have?” I replied, “I am not as old as you.” His response was, “Let us return to the seriousness of this debate.”

A lot has been said about Arthur Marshall’s contribution to the Peel and Mandurah area and a number of his achievements have been highlighted. There are times in this Parliament when you have people who make an impression for the character that they have, for the way that they present themselves and the way that they play the game. I think that many people, particularly those who served while Arthur was here, would know that he played the game very, very well. He enjoyed his experience and he was here to do something; he was here to make a contribution.

To you, Helen, and to your family, I really appreciated the friendship that I had with Arthur during the time that we were in this place together and after that. My sincere condolences to you and all the family.

MR P.J. RUNDLE (Roe) [2.45 pm]: On behalf of the National Party, can I pass on our condolences to the family of Arthur Marshall. I acknowledge Helen; Dixie, Luke and their children, Matilda and Charlie; and Scott and Megan, and Tom, Abby and Jack. Can I also acknowledge Clark, who is not with us here today. Like the member for Mandurah, I have some great memories of Arthur. I was really proud that when I was elected in March 2017, Arthur rang to congratulate me. I was certainly very pleased to get that call.

The Arthur Marshall Tennis Academy, as the Minister for Police mentioned, was one of the biggest things in the history of tennis in Western Australia. It was established in 1958. I think it was the largest academy in Australia. My first memory of Arthur was at the Katanning High School tennis courts. I still remember his enthusiasm in teaching us about the game of tennis. He put a can of coke in each corner of the service squares as our targets and we had five balls to try and knock one of them over. If we did happen to succeed, he would bring a warm one out of the boot of his car. It was a great reward for us! I think a lot of our kids right throughout the state have that sort of memory.

It was a few years later when I went to Wesley College that I crossed paths with Arthur again. He was the coach of the Wesley tennis team, of which I was proud to be part when we won the CAW Cup and Slazenger Cup, along with Scott, who is in the gallery. As we have heard, Arthur was a fantastic player in his own right and he always kept us on track and made sure we were ready to compete no matter where it was, what day of the week, or which team it was against. More recently when my own boys, and Scott and Megan’s son Tom, played for Wesley, Arthur was still a presence. We decided that we wanted to bring some more tradition into the school around tennis. When my wife and I first arrived there, they used to have a bit of a pizza night, and we decided we would have a big dinner to bring back some tradition. The first person we thought of was Arthur because he had that ability, as everyone has explained here today, to make people feel important. He had the ability to teach the boys the

importance of the way they dressed, the way they behaved, and the way they should compete while they were at school. He enlightened us with many stories of his travels to Wimbledon and other grand slam events. He also spoke about how the first four Western Australians ever to play at Wimbledon had come through Wesley. He really made a difference to not only the boys, but also to many of the parents, including me. We learnt much of the great tennis days of the 1950s and 1960s.

More recently, Arthur launched his book, *Never a Dull Moment*. I attended the launch along with the former Premier and the member for South Perth. Dixie was the master of ceremonies for the night, and Matilda was very prominent on the microphone. Even though Arthur was not feeling 100 per cent at the time, once he got the microphone back in hand, he was back to his old self. He certainly gave us stories about tennis, his radio commentary, the East Fremantle Football Club, his political career—and, of course, the fantastic story the member for South Perth told about getting knocked over in the first quarter.

I was privileged to see Arthur only a couple of weeks before he passed away. It was out at Hale School, where he was proudly watching his grandson Charlie make his debut for the Hale first XVIII football side. He told me about Tom, who also plays league football for East Fremantle. He was really proud of all his children and all his grandchildren. There is no doubt that there are some incredible sporting genetics in the Marshall family.

On behalf of not only the Rundle family and the Nationals WA, but also all Western Australians, I can honestly say that Arthur has left his mark through his tennis academy. He has touched the lives of many and will be remembered with great fondness for his sense of humour and his exploits in a range of fields. I attribute much of my love for tennis to Arthur's guidance and enthusiasm from a young age. It is perhaps one of the reasons I keep harassing the Speaker to reinstate the parliamentary tennis court instead of letting it go to car parking! We will certainly miss him. Vale, Arthur.

MR M.P. MURRAY (Collie–Preston — Minister for Sport and Recreation) [2.52 pm]: I think it would be amiss if the Minister for Sport and Recreation did not get up, whether it be me or anyone else, to speak a few words about the coach. I did not meet Arthur until coming to the house in 2001 and we got to be quite friendly, to say the least. We spent many a night in front of the telly in the members' lounge, talking about sport. As we know, he loved a yarn and it was always about sport. I could never, ever get over the detail that he went into. You would be sitting there, thinking, "Well, that wasn't a bad shot", whether it was cricket, tennis or whatever, and he would say, "He's got his hand wrong; he's got his foot wrong." He would forever be the coach out there.

He had one particular story he liked to tell about members of Parliament, although I will not blow the whistle on him! He used to refer to "the bloke with the white boots", who was, I must say, on that side of the house! He would say, "Never trust the bloke with the white boots. All he is is a show-off and a show pony!" I do not know how he got on in later years, when we now have pink, red and orange boots, but I am sure it horrified Arthur. He would say, "That bloke over there—he might be wearing white boots. Or this one over here—he's certainly got the white boots on today!" He came from an era when it was seen as being a show-off if someone had a pair of white boots; they were just coming into fashion. As I said, Arthur would go into that level of detail and he enjoyed sport so much. If it was on telly, he would always be parked in a chair in front of the telly, willing to talk to the people around him to explain the finer details that he knew about and that we certainly did not.

There were also the times with John Bowler, the then member for Kalgoorlie, and the then Speaker, and we became friends during the bowling carnivals. They were really, really good times. The member for South Perth did cop a bit from me and the Speaker about not being in the top team, but we could not argue when they came back with the cup each time. Arthur would proudly hold it up and we would have to fill it up with beer! They were good times, with the families as well—Arthur's wife and the others' wives—and we became quite friendly. They would go off on tours while we tried to play bowls; I must say "try"! Again, when we were on the bowling green, Arthur would be adjusting the ball: "No, no, Mick. Put your left leg forward", or "put your right leg forward." But he did despair at the then Speaker. He said, "I don't think he's got any hope!" It must be a Speakers' thing, because then we had Michael Sutherland, and Arthur just shook his head. We came home one night after a day of bowling and the passageway was blocked off, and there was Michael Sutherland, at Arthur's insistence, practising bowling down the passageway for the next day, trying to keep it on track with Arthur giving plenty of advice about what was going wrong!

I will not go on for much longer, but I just refer to his nature and his smile—I am sure everyone in this room can remember his smile when he walked in. The fact that he did not make an enemy on either side of the house I think says something about the person he was and his actual nature. He told me another story that I found quite amusing, about when he interviewed different high-profile sports people. It was just at the beginning of the era when people were paid for interviews, but he would brag about how he would get an interview and then not pay them. It was very, very cunning, because they did not sign the contract before: "Go and get your manager!" "I didn't sign a contract!" Those sorts of things. Some of the interviews he told us about and the insights into some of those great sportsmen that Arthur was able to reveal and pass on to us were sensational. I agree that, as a commentator, he was right up there. He passed those stories on to us and they are very, very special memories.

Can I say to Arthur's family: my sincere condolences. He will be remembered, and we will certainly remember him when we go to the bowls carnival this year. Thank you very much.

MR D.C. NALDER (Bateman) [2.56 pm]: I also stand to extend my condolences to the Marshall family. My family's connections with Arthur Marshall go back to the 1950s; he was at Wesley College at the same time as my dad and my father-in-law, Graham Lange, who was also a tennis player at Wesley. I went to boarding school in the late 1970s and Arthur was the coach of the Wesley tennis team, and I got to see a little more of Arthur. Later on, when I entered politics, I interacted with Arthur because he lived down there in East Fremantle bordering on the seat of Alfred Cove, so I used to have regular conversations with him.

I would just like to touch on two points in extending my condolences and talking about my interactions with Arthur. Firstly, on a more serious note, was his support for me as the local member. He even worked through the last election campaign. He rang me up and said, "Dean, I want to help." I knew his condition, but I said, "Yeah; sure, Arthur." He said, "I want the worst polling booth. I want the toughest polling booth. I want the one where I can have a crack!" I will not share which one it was, but he and Helen were both there working on the polling booth to support me in 2017. He was always there to provide support and advice and the wisdom of his experience, which is something that I certainly appreciated.

The other side reinforces what the member for South Perth said in his comments. You would get a phone call from Arthur, and your first reaction would be, "Oh, what am I in for now?" Invariably, it would be to sponsor a table at a lunch or dinner in the Parliament for some charity or fundraiser. He lined me up with the Melville Bowling Club! The last one was about 18 months ago. Not only did I have to supply a table for four people for lunch or dinner at Parliament; I also had to make sure that I was there, because he wanted me to spend some money on some of the other prizes he got off other people! I was there with my wife, and it was typical of Arthur: he grabbed the mic, and away he went. He always had to get the show running. As the member for South Perth said, he would invariably put you down for a bid, and on this day he asked, "Who played cricket when they were younger?" A few people put their hands up, and that started the bidding. He remembered everyone who put their hand up and he would just go, "\$100, \$200, \$250, \$300," around the table. Whether you liked it or not, everybody would have a laugh and it certainly got everybody involved. It was fantastic for those local sporting clubs, and he will be sorely missed for the life of the party he was at those events.

I just wanted to share my experiences and show my appreciation for Arthur and Helen and what they have done for me as the member for Bateman, but also on behalf of the people in the community I represent, I would like to extend my thanks and appreciation to Arthur and his family. Thank you.

MR Z.R.F. KIRKUP (Dawesville) [2.59 pm]: I, too, wish to make a short contribution to the condolence motion for the late Arthur Dix Marshall, OAM. This is the first condolence motion I have had opportunity to speak to, and I do so with a sense of reverence in that I am speaking about the first member for the seat that I now hold. I can remember the first time I met Arthur. I visited Helen and Arthur's house on Preston Point Road in East Fremantle. It is a beautiful house, painted blue and white, and the front gate is emblazoned with two tennis rackets. Truth be told, I did not realise that the house was painted blue and white out of solidarity with the East Fremantle Football Club. Although Dixie would have told me a number of times, I also failed to remember at that time that Arthur was a tennis champion and had gone to Wimbledon. Because politics was really my only sporting interest, and likely to remain so, I did not know about his extensive sporting background. I did not know Arthur as a premierships squash player; I did not know him as a WA state table tennis champion; I did not know him for the contribution he made to tennis in the state and on the international stage; I did not know him as a broadcaster and sports commentator on television; as a sporting journalist or as a retailer, or as one of the thousands of students who had gone through his tennis academy and sports camps. In contrast all these achievements, I knew Arthur simply as the first member for Dawesville. I also knew him as the reverent father of an insatiable colleague of mine in Dixie Marshall, and the grandfather of Charlie and Matilda, whom I would help with their homework. Arthur is spoken about with a lot of love and respect in that family.

For me, as the Liberal Party candidate for Dawesville, and then as the member for Dawesville, he was a guiding, wise and experienced hand helping my campaign and my subsequent navigation through elected life. When I was doorknocking, a not insignificant number of people told me that I had to fill Arthur's boots. In a day and age in which people can barely remember what they did last week, swathes of people in my district would tell me that they remembered fondly their member of Parliament who had served for 12 years. Arthur occupies a special place in the community that he and I both had the opportunity and honour to represent, and it is no wonder. Some members have spoken about his local achievements here, but I will go through them again, similarly very quickly. He instigated the process to get a Western Australia Football League licence for Peel Thunder. Salient at this moment, he was part of the steering committee to enlarge the Peel Health Campus from 36 beds to 150 beds. He was the inaugural chairman of the Peel Health Campus, raising more than \$4 million to expand it and add a 12-bed paediatric wing. He advocated for the Falcon skate park, which I campaigned to expand, and he was the initiator of it. It is at capacity at the moment, and he was before his time. He advocated for fishing platforms along the Dawesville Cut, now enjoyed by seniors and people all through my community. They were particularly designed for disabled access, something he was very passionate about. Thousands of people use those fishing platforms in my community, and they are there because of Arthur. The member for Mandurah has spoken about the Mandurah Theatre Academy, which was built because of Arthur's advocacy and the support of the Court

government. Five schools were established in my district; net fishing was reinstated, which matters greatly to a lot of people, particularly senior members of my community; and an award-winning marina was created.

The Court government, with Arthur's undeniable tenacity, saw more money put into the Peel region and Mandurah in the eight years of the Court government than in the lifetime that preceded it. There is a saying amongst some particular experienced senior members of my community, perhaps not without merit, that when Arthur Marshall arrived the Old Coast Road in Mandurah was gravel, and by the time he left it was bitumenised. I have been a member for just over 470 days, and already, in comparison with Arthur's record of achievement as a member of Parliament, I feel like I am quite far behind. His commitment to our community was something that I loved about him, and I loved getting to know him. Also, he never stopped coaching, and wanting the best out of people. I have seen him a number of times since I was elected, either back at that blue and white house, at the Peel Thunder Football Club, where he asked me to help launch his book, together with Dixie and some other members of the community with whom he had stayed lifelong friends, or when I asked him to come to Cobblers Tavern, a pub that sits on Old Coast Road, in the 200-metre stretch between where his old office used to be and where my office is located. We held a fundraiser there in March this year, to which Arthur and Helen came. I think he brought more people in than I did, who wanted to come to that fundraiser to celebrate my first year as a member of Parliament. Every time I saw him, he would quiz me on what I was doing. He would have a list of people and groups with whom he wanted to make sure I was communicating, and he wanted to make sure that I picked up his mantra of plan, establish, promote and control—a philosophy that he employed in sport, business and politics with great success.

Although most of the meetings and advice will remain on the journals that I wrote him, I would like to share one particularly memorable moment. I was struggling to write my inaugural speech for this place. For nearly a decade, perhaps embarrassingly, I had written, as part of my boyhood dream to become an elected member of Parliament, drafts of a maiden speech. Under pressure, and with building anxiety, I visited Arthur, hoping to get some sage advice from a former member. I said to him, "Arthur, I'm dying here; I can't put together my inaugural speech. What should I do?" I can remember the moment vividly, sitting at his kitchen table, when he looked at me and grew this trademark cheeky smile that he had, and he said, "Zac, the best advice I can give you is to read mine." Indeed, I did, and here we are. For those who do not know, although members have spoken about it in their contributions here, Arthur published a book titled *Never a Dull Moment*. The book can be purchased from Round House Press, and I encourage members to buy the book. I will leave a copy of this book that I brought from my electorate office. I leave a copy at my reception, and it has been frequently borrowed by residents in my community, and is quite well worn. I encourage all members to read the book, but I want to read from page 382, where he writes about politicians. It reads —

It seems to me that there are three types of politicians. There's the ambitious person who desperately wants to be a minister. They are attracted to the power, notoriety, travel and decision-making ... Then we have the legislators ... These people are usually highly educated and work to the rules of the day, but some lack charisma ... They have a huge workload but enjoy being the orator of the house in top debating. Finally, there is the member who solely concentrates on improving his or her electorate ... They can talk to their client on anything, which in most cases is their constituent. They find out what the electorate needs and go for it. ... Top backbenchers are the heartbeat of Parliament House.

Similarly to some others members of this place, I have in the reception of my office portraits of Her Majesty the Queen, Dr Hames and also Arthur Marshall. His photo serves me as a daily reminder to be the best local member of Parliament that I can be, in his image, and to do my best not to become too much like that first member of Parliament that I spoke about, something that I think I am probably quite prone to do. I had the great honour to know Arthur, as he was the man to me. He was all those things. He was a fantastic mentor to me in my role in this place. I consider him an old-guard parliamentarian, not unlike the member for South Perth, perhaps the member for Albany, and the member for Collie–Preston. They hail from the days when people looked up to members of this place, when they had respect for one another. They have a warmth and a desire to achieve the greater good and go beyond any sort of political expediency that might exist.

He and Helen have produced some amazing children and grandchildren—part of that Marshall vision, I think. They have a formidable heritage, and I am certain that we will hear their names forevermore, and perhaps one day in this place. In closing, when I attended Arthur's funeral, Dixie gave—perhaps "fantastic" is the wrong word—a very touching eulogy. His funeral has had quite a significant impact on me and my reflection on where I am at in my life now. It became obvious to me that he belonged to his football club, to Wesley, to Mandurah and to this place. He belonged to his family, and perhaps that is a belonging that I have yet to feel. It has made me pause and reflect on where Michelle and I are at with our lives, and to wonder what more we can do to be better contributors in Arthur's vision. Arthur led an amazing life that I now look on with envy, as a 31-year-old member of this place. He did so much, he lived so much, and even his passing has a lesson for us all—to be the best that we can be, to do our best, to live our best life, follow our dreams and fight to the end, no matter what. Arthur's is a life that I hope to live by, although perhaps I will never come that close. His was a life with never a dull moment. Vale Arthur Marshall.

THE SPEAKER (Mr P.B. Watson): Members, I want to say only two things about Arthur Marshall. He always used to say to me, when we were in the bowls carnival, that he could not believe that somebody who went to the Olympics could be such a bad bowler. Every time I did something wrong, I could feel his shadow behind me, looking at me and just shaking his head. The other thing was when we used to go into the bar at six o'clock at night, we could not get off the Channel 9 news. If anyone turned the Channel Nine news off when Dixie was on, Arthur used to just get up and put it back on Channel Nine. Dixie, I am pretty sure it helped your ratings over the years! Your father was a magnificent man. They do not make them like that anymore. He was just a gentle man who always had a good word about everyone. I remember when we first came into the chamber in 2001 and we had the halfback line, and the first thing he said was, "Fresh meat!" Did he give it to us! We became very good friends over that period of time. My condolences go to the family; he was a wonderful man.

I ask members to rise and support this motion by observing a minute's silence.

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

PUBLIC ACCOUNTS COMMITTEE — THIRD REPORT — "PCH—A LONG WAITING PERIOD — A CRITIQUE OF THE STATE'S MANAGEMENT AND OVERSIGHT OF THE PERTH CHILDREN'S HOSPITAL PROJECT"

Government Response — Statement by Premier

MR M. McGOWAN (Rockingham — Premier) [3.11 pm]: I rise to inform the house that the government's response to the Public Accounts Committee's third report, "PCH—A Long Waiting Period—A critique of the State's management and oversight of the Perth Children's Hospital project", tabled by the Public Accounts Committee on 22 March 2018, will be tabled at the earliest opportunity.

MINING AMENDMENT (PROCEDURES AND VALIDATION) BILL 2018 — DRAFT

Statement by Minister for Mines and Petroleum

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [3.12 pm]: I rise to advise the house of the progress made by the government in supporting a safe, fair and responsible future for the Western Australian community, industry and resource sector. In doing so, I will table the draft Mining Amendment (Procedures and Validation) Bill 2018.

[See paper 1439.]

Mr W.J. JOHNSTON: The purpose of the draft bill is to address security of tenure implications for the state's mining industry arising from last year's High Court decision in *Forrest & Forrest Pty Ltd v Wilson & Others*. In the *Forrest* decision, the High Court overturned earlier decisions of Western Australia's Supreme Court and the Court of Appeal regarding interpretation of the Mining Act 1978 dealing with mining tenements. Previous decisions allowed a reasonable amount of flexibility with respect to the receiving and processing of mining tenement applications. However, the High Court determined that the process for lodging and approving applications must strictly comply with the technical requirements of the Mining Act. The risk from the High Court decision is that existing mining tenements could be challenged where such strict compliance had not been observed. This has generated uncertainty about the validity of mining tenements, which were processed in good faith and in accordance with the previous practices and understanding of the law at the time they were granted.

Certainty in tenure is one of the key principles of the mining industry's regulatory system, and is essential for maintaining our reputation as one of the world's most attractive destinations for mining investment. Our mining tenure system underpins billions of dollars of investment that supports one of the state's largest employers, as well as ongoing regional development and payments of royalties to the state, which benefit all Western Australians. The draft bill aims to strengthen the mining legislation for both the mining industry and other stakeholders, including native title holders, by validating existing mining tenements and amending the Mining Act to ensure security of mining tenure in the future.

Even though native title rights are addressed prior to the grant of a tenement, there is a risk that the validating legislation itself could trigger the future act provisions of the commonwealth's Native Title Act. To ensure this does not happen, the state does not intend to pass the validating legislation until the commonwealth has made the necessary amendments to the Native Title Act. This is a complex legal matter and the state is continuing to work with the commonwealth to expedite this process. I assure members that the purpose of the state's validating legislation is to restore the assumption of validity in relation to previous grants, without affecting native title to any greater degree than has already been assumed and accepted to be the case.

QUESTIONS WITHOUT NOTICE

HOUSEHOLD FEES AND CHARGES

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

I would like to thank the people of Darling Range for the clear message they sent to the Labor Party on the weekend. Will the Premier now admit that his \$700 a year increase to household fees and charges is having a massive and harmful impact on the many struggling households across Western Australia, and will he

immediately commit to walking away from the \$500 a year of additional increases that he intends to slug households with over the next few years?

Mr M. McGOWAN replied:

As I have said in the house before, if we go back to the first two years of the last government and look at the increases in fees and charges, they were double the increases to fees and charges that this government has brought in.

Several members interjected.

Mr M. McGOWAN: Secondly, I was very, very clear before the state election —

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, your leader has asked a question; the Premier is answering it.

Mr M. McGOWAN: I was very, very clear before the state election. On every single occasion when I was asked about this, I said that fees and charges would go up and that that was the natural order of things, because the cost of providing services goes up.

I do want to comment on Darling Range. Obviously, we are disappointed by the outcome of that election. However, on Saturday night I did see the Liberal Party showing great signs of hubris and arrogance. I thought the performance —

Several members interjected.

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

Mr M. McGOWAN: I thought the performance of the Leader of the Opposition bordered on bizarre—absolutely bizarre—on Saturday evening. I only wish the people of Darling Range had seen the true nature of Liberal Party members—their hubris, their arrogance, their madness—before the date of that election. Your performance on that evening was frankly embarrassing for you!

HOUSEHOLD FEES AND CHARGES

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

I have a supplementary question. Does the Premier realise how many households are doing it tough and are sick of hearing his excuses and blame-shifting, or does he just not care?

Mr M. McGOWAN replied:

I will take the Leader of the Opposition through it, because he clearly does not remember. In the first couple of years of the Liberal Party in government, the increases in power prices were 40 per cent—more than double what is occurring over the term of our government.

Several members interjected.

The SPEAKER: Members, you ask a question and you just interject. I will not tolerate it any longer.

Mr M. McGOWAN: In the first two years of the Liberal Party in government, the increases in water charges were 27 per cent—more than double what occurred under Labor. Of course, Mr Speaker, we have to fix the Liberal Party's mess. We will not be diverted from that course of getting Western Australia back on track. If members can read the forward estimates, they will know that in future years the increases in power and water prices are coming down significantly, because we understand the pressure that families across Western Australia are under. We have to remember that the Liberal Party left this state with \$40 billion of debt and \$3 billion surpluses. That is what they left us with. This is what the Liberal Party does. The Liberal Party in this state takes no responsibility for what it did—it takes no responsibility. Its members should actually apologise to the people of this state for what they did over those eight disastrous years, which this government now has to deal with.

Several members interjected.

The SPEAKER: Order!

Mr R.H. Cook: Are you going to apologise for being a drunk?

The SPEAKER: Minister for Health, I call you to order for the first time because I was on my feet.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: The Minister for Health called the Leader of the Opposition a name; I ask him to withdraw.

Government members: No, he didn't.

Dr M.D. Nahan: I heard it.

The SPEAKER: I heard him say he was a joke or something.

Mr R.H. COOK: I was going for “incompetent”, but I only got to “drunk”. I withdraw it.

Mr S.K. L’ESTRANGE: I heard the word “drunk”.

The SPEAKER: Drunk?

Mr R.H. Cook: I have withdrawn it.

The SPEAKER: Sorry, I did not hear it; the Minister for Health has withdrawn it.

Questions without Notice Resumed

Mr M. McGOWAN: I repeat: fixing the mess that the Liberal Party’s eight years in office have inflicted on Western Australia will take many governments. The idea that Liberal members can just put their heads in the sand about the financial situation facing this state is ridiculous.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: The hubris and arrogance that Liberal Party members showed on Saturday night shows that they have not learnt the lesson of the wildly incompetent financial management of Western Australia over their eight years in government.

NATIONAL PARTNERSHIP ON REMOTE HOUSING

456. Ms J.M. FREEMAN to the Premier:

I refer to the National Partnership on Remote Housing that is due to expire on Saturday, which, if not renewed, will see the commonwealth walk away from providing secure, long-term funding for the state’s 165 remote communities. Can the Premier update the house on what response he has received from the Prime Minister in regard to renewing this funding deal and supporting these communities?

Mr M. McGOWAN replied:

I thank the member for Mirrabooka for the question. This is one of if not the most important issue in regional Western Australia; that is, that on Saturday the National Partnership Agreement on Remote Housing will expire. I wrote to the Prime Minister of Australia some months ago to seek a commitment to a renewal or at least a proper negotiation in relation to the continuation of that scheme. Thus far, the federal Liberal–National government has refused to renew this agreement and refused to provide a decent deal to Western Australia. It looks, Mr Speaker, like the federal government is walking away from its responsibility of 50 years standing to provide support for housing and maintenance for remote communities in Western Australia and Queensland for the most disadvantaged people in this country living in some of the harshest conditions. It will walk away from that long-term commitment. I wrote to the Prime Minister in May, after much effort by the Minister for Housing to get an answer from the federal government. I wrote —

Housing is the foundation for Aboriginal wellbeing and the Commonwealth, States and Territories have a history of partnership ... since 1968.

... the Commonwealth Government’s own independent Remote Housing Review reported that 1,300 new homes would be needed in Western Australia over the next 10 years to respond to overcrowding and meet future demand.

The absence of a clear, concrete and formal funding commitment ... for remote housing is inconsistent with the aspirations associated with Closing the Gap.

Thus far, I have had no response from the Prime Minister or the federal government in relation to that issue, and the arrangement expires on Saturday. The federal Minister for Indigenous Affairs, Mr Scullion, has stated thus far that it will provide \$60 million over three years to close out the deal. That means the commonwealth walks away from \$100 million a year with a \$20 million a year commitment for three years and then it ends and all the obligation falls to those communities and/or the state to meet the housing needs of those communities. I note today he has put out another statement threatening the last payment of the existing scheme to Western Australia.

Frankly, this is disgraceful. I know it does not get the media attention that it deserves, but these people out there do not have the voice that others have to promote their case. They are living in harsh, remote parts of Western Australia. There are lots of children and old people involved here, and the housing and the maintenance of the housing for these people will be lost. Thus far, we have had not a peep from the state Liberal Party and not a peep from the state National Party. It shows that they do not care about these people in remote communities, because they will not stand up for them.

WORKPLACE BEHAVIOUR — LEADER OF THE NATIONALS — LETTER OF COMPLAINT

457. Mrs L.M. HARVEY to the Minister for Women's Interests:

I refer to a letter in today's *The West Australian* from Bevan Ripp, the president of the Principals' Federation of WA; I quote —

... I am appalled at the report of the Premier making a unilateral decision to dismiss a complaint by the leader of the National party ...

He goes on to state that if a school principal behaved in the same manner as the Premier, they would potentially be in contravention of the Public Sector Management Act resulting in potentially very serious penalties, including dismissal. Will the minister please update the house on what is the proper process for managing complaints of workplace bullying or intimidation and advise whether dismissing them or labelling them as a fabrication of the victim is appropriate in any workplace?

Ms S.F. McGURK replied:

I am surprised the deputy leader from the Liberal Party does not understand what the processes for making complaints are in this place. We are not employees; we are actually in a very privileged position here in the chamber. Of course, as a matter of principle, any complaint by a woman about harassment or intimidation needs to be heard. I have certainly said that publicly, and I think most reasonable people think that. But I cannot believe, considering the sorts of issues that are before this Parliament and before us as a state, we are still talking about this issue. Can I say without any shadow of a doubt; can I make very clear my position. I have known —

Ms R. Saffioti interjected.

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

Ms S.F. McGURK: Mr Speaker —

Mr P.C. Tinley interjected.

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

Ms S.F. McGURK: Mr Speaker, I have known the Minister for Water for 40 years. I have known him every year for 40 years, and we have had a lot to do with each other in all those 40 years. I have never in that time ever known him to be physically aggressive or intimidating—ever! I have absolutely no hesitation in saying that I would be very, very surprised if there was any substance in this claim. Having said that, as a matter of principle, it is not unbelievable —

Several members interjected.

The SPEAKER: Members!

Point of Order

Ms R. SAFFIOTI: The opposition will not let the member finish —

Several members interjected.

The SPEAKER: Members, this is a very important subject and I want to hear it. Thank you, minister.

Ms R. SAFFIOTI: This is a sensitive subject, Mr Speaker, and they should let the Minister for Women's Interests answer this question.

The SPEAKER: Members, there will be no more interjections, please.

Questions without Notice Resumed

Ms S.F. McGURK: I repeat, Mr Speaker: I would be very, very surprised if there was any substance in this claim. Having said that, as a matter of principle, any claim by a woman that she has been intimidated or harassed needs to be heard. I will leave it at that. If the member does not understand what the avenues are for complaint in this place, I suggest she take it up within her own party or take it up with the Speaker.

WORKPLACE BEHAVIOUR — LEADER OF THE NATIONALS — LETTER OF COMPLAINT

458. Mrs L.M. HARVEY to the Minister for Women's Interests:

I have a supplementary question. What signal has the Premier sent to vulnerable people in workplaces across —

Mr P. Papalia interjected.

Mrs L.M. HARVEY: Okay, where is my protection when I am being interjected upon?

Ms A. Sanderson interjected.

The SPEAKER: Minister for Tourism, I call you to order for the first time. Member for Morley, I was on my feet, so I call you to order for the first time.

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

What signal has the Premier sent to vulnerable people in workplaces across Western Australia who are too scared to stand up to bullying and intimidation in the workplace, and will the minister now call on him to make an apology for his handling of this issue?

Ms S.F. McGURK replied:

Mr Speaker, I can say again without fear of contradiction —

Mrs L.M. Harvey interjected.

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

Mrs L.M. Harvey interjected.

The SPEAKER: I call you to order for the second time, member for Scarborough. This is not a shouting match.

Ms S.F. McGURK: I think all of us in here understand —

Point of Order

Mr S.K. L'ESTRANGE: The Minister for Tourism is intimidating the Deputy Leader of the Opposition while she is trying to listen to the answer. She is trying to listen to the answer and he is interjecting across the chamber intimidating the Deputy Leader of the Opposition.

The SPEAKER: How is he intimidating her?

Mr S.K. L'ESTRANGE: He is verballing her across the chamber while she is trying to listen to the minister.

The SPEAKER: I did not see anything.

Ms A. Sanderson interjected.

The SPEAKER: Member for Morley, I call you to order for the second time. A point of order will be heard in silence. I do not think it was a point of order.

Questions without Notice Resumed

Ms S.F. McGURK: Mr Speaker, I would really appreciate it if people on both sides of the house would just let me answer the question—and that is, that I believe that the Premier's response was in context to what occurred in this house. That is not necessarily a comment on the woman, Hon Mia Davies, who made the comment, but actually the person sitting behind her. That is that the claims that were made were quite different about some sort of intimidating behaviour by the Minister for Water. I think most of us, certainly on this side, are incredibly dubious about the member for North West Central's ability to tell the truth. That is the reality.

Point of Order

Mrs L.M. HARVEY: The minister in her response has impugned the character of another member in this place.

The SPEAKER: What is the point of order?

Mrs L.M. HARVEY: I ask that she desist from calling members in this place "dubious".

The SPEAKER: It is not a point of order. Minister, you will get to the end of this, please. Finish it up.

Questions without Notice Resumed

Ms S.F. McGURK: I am making the point that the concerns are that there were conflicting accounts of what occurred, and I think that most people —

Several members interjected.

The SPEAKER: Members, this is becoming a farce. This is a very serious issue. I call the member for North West Central and the Leader of the Nationals WA to order for the first time. Minister, can you get to the end of this, please.

Ms S.F. McGURK: I am trying to, Mr Speaker. My comment is in relation to the member for North West Central and that is that he has no credibility in this house. Any claim that he makes is made on the back of years and years of duplicity. That is the context in which I believe the Premier made his comment. I again urge all members of this house to put into context the claims that are being made of so-called intimidation. As I said today, I am dubious about whether there is any veracity in those claims, and I again make a very strong personal endorsement for the Minister for Water.

ABORIGINAL PEOPLE — INDEPENDENT ADVOCATE

459. Ms M.M. QUIRK to the Minister for Aboriginal Affairs:

Mr Speaker —

The SPEAKER: Member for Girrawheen, happy birthday!

Ms M.M. QUIRK: Thank you very much. I am old enough to know better, really!

I refer to the state government's proposal to create an independent advocate for Aboriginal people.

- (1) Can the minister outline to the house why an independent advocacy role for Aboriginal people is needed?
- (2) How will Aboriginal people be consulted in the development of this new advocacy role?

Mr B.S. WYATT replied:

- (1)–(2) I rise as Minister for Aboriginal Affairs in this regard to bring to the house's attention a very important discussion paper that the government has released. Over the last 20 years, the architecture of Aboriginal affairs has been found wanting in Western Australia, primarily because the legislation that sets that architecture up went through Parliament in the early 1970s, before I was born and before things such as the Mabo decision and the Native Title Act, for example, were part of the law of the land. We have already announced our review of the Aboriginal Heritage Act 1972, which is currently in process. We have already announced the abolition of the former Department of Aboriginal Affairs. This goes back to a time when my father was the head of the department. He recognised that that legislation did not create the sort of agency that Aboriginal people were looking for. It was a unit to advise governments on Aboriginal affairs under legislation that was set up at a time that had a very paternalistic view of the relationship between government and its Aboriginal citizens. As we announced before the election, we abolished the department and have created a policy unit within the Department of the Premier and Cabinet to coordinate policy in Aboriginal affairs. Shortly, that will merge with the Office of Native Title, because I am keen to see native title not as a political legal issue sitting outside core government considerations around the land estate, for example, but part of that, particularly as native title moves to what we call the "post-determination phase". Also, on 7 June at the National Native Title Conference in Broome, the next part of this reform was announced; that is, that the department is now gone, but in that vacuum we want to create an opportunity for the Aboriginal voice to be heard. That is what Aboriginal people have wanted, historically, from the former department, which was never set up to do that under the legislation.

At this point, the discussion paper is very much that. We are keen to hear back from Western Australians, primarily Aboriginal Western Australians, but I am keen to hear from others as well; I will be keen to hear from universities and those sorts of organisations as well around the structure, for example, the method of appointment, the powers et cetera of what we will call the Aboriginal advocate at this stage. The only thing I am keen to see at this point would be an independent reporting process to Parliament, as opposed to through the government of the day, much like the Auditor General or the Commissioner for Children and Young People reports to Parliament, to facilitate engagement and debate around policies for Aboriginal people. In respect of the Closing the Gap discussion, we have seen the Premier today in question time raise a particular issue around housing. These issues are all very much linked, but there has not been the capacity for that Aboriginal voice to be heard in this place in an independent way, free from the filtering of the government process. We are keen to hear from people through to 7 September. I am not going to rush this, but I am keen to develop and bring something to Parliament that creates that independent Aboriginal voice in the Parliament of Western Australia to provide an Aboriginal view on the role of government and policies that may be working, that could be working, or policies that for whatever reason may not be successful. It is an important opportunity and I encourage all Aboriginal people and organisations in Western Australia to put in their submissions to this important voice.

The SPEAKER: Before I get to the member for Moore, I would just like members to know that under standing order 92 —

Imputations of improper motives and personal reflections on the Sovereign, the Governor, a judicial officer or members of the Assembly or the Council are disorderly other than by substantive motion.

Just be very careful, members.

MOORA RESIDENTIAL COLLEGE — DARLING RANGE BY-ELECTION

460. Mr R.S. LOVE to the Premier:

I refer to the over nine per cent swing against the Premier's government in the Darling Range by-election.

- (1) Will the Premier concede that the voters of Darling Range are concerned about his attack on regional education, including the closure of Moora Residential College?
- (2) Will he now reverse his mean decision to close the only residential college between Perth and Geraldton?

Mr M. McGOWAN replied:

- (1)–(2) I do know that there was a swing against the government on the weekend and I note the Liberal Party and the National Party are full of arrogance and hubris as a consequence. Obviously, fixing the Liberals' and Nationals' mess takes a lot of effort and work; they left us from when they were in government a huge legacy of debt and deficit that is difficult for us to deal with. I also note that around the wheatbelt there is

a range of accommodation options for students in hostels that have a lot of space available. That will continue. We will seek to make sure that those students at the hostel at Moora have those opportunities to go to those other options. The Department of Education is working well with those families to ensure that that happens. But the idea that we are able to spend around \$9 million on 25 students when there are other opportunities available is not something that any government would think is affordable in the current financial environment.

I want to now turn to the issue that the Nationals WA will never say a word about, and that is those remote Aboriginal kids. The National Party does not care about them.

Mr D.T. Redman: Absolutely, we do.

Mr M. McGOWAN: No, you do not. Because you never say a word about them.

Several members interjected.

The SPEAKER: Members.

Mr M. McGOWAN: The only regional people you care about are the ones in the National Party electorates. You do not care about those remote Aboriginal kids out there who are having \$100 million a year ripped out of their housing by the federal government. That says a lot about you that you never say a word about that. What that says to me is that they are out of sight and out of mind as far as you are concerned.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: That is what that says to me.

MOORA RESIDENTIAL COLLEGE — DARLING RANGE BY-ELECTION

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

I have a supplementary question. Why will the Premier not listen to the clear message of the community delivered last weekend and change his decision?

Mr M. McGOWAN replied:

Why will the member not listen to those poor Aboriginal people who do not have a voice? Why does the National Party not listen to them?

Mr R.S. Love interjected.

The SPEAKER: Member for Moore!

Mr M. McGOWAN: You have got Nigel Scullion, your man in Canberra, determined to rip money away from those Aboriginal kids out there in remote communities, and you will not say a word.

GST DISTRIBUTION — PRODUCTIVITY COMMISSION'S REVIEW

462. **Ms E. HAMILTON to the Premier:**

I refer to the impending release of the Productivity Commission's review into the distribution of the GST and the recent comments by the Prime Minister that the federal government's response would "pass the pub test". Can the Premier advise the house of what this response must include if it is to indeed pass the pub test and deliver a fair and equitable result for Western Australia?

Mr M. McGOWAN replied:

I thank the member for the question. Over the last couple of months, we have seen front page after front page from the federal government: "Scomo's GST Election Pledge" and "GST change will pass pub test: Turnbull". I was slightly concerned when I read in this morning's *The West Australian*, on page 16, a column written by Senator Dean Smith. It states —

When Treasurer Scott Morrison releases the Government's much-anticipated response to the Productivity Commission's inquiry into the GST distribution formula this week, commentary will quickly turn on the ability of the States and Territories to reach agreement.

That is what he wrote this morning. Two things are apparent. Firstly, there is not just a report coming down this week, but the federal government response. Secondly, it appears from the wording that Senator Smith is indicating that the states and territories will need to agree on that response. What I would say to the commonwealth is this: if it does not provide immediate reform and improvement to the GST system for Western Australia, it will have failed. It must implement reform and change as soon as possible.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: The commonwealth must at least match the contribution of \$2 billion put on the table by the federal opposition—Bill Shorten and federal Labor. What the commonwealth could do immediately is implement a permanent floor at 70 cents or 80 cents in the dollar, or between that; it could change the equalisation process and equalise states using the average; and it could address distortions created through mining revenue, in particular iron ore revenue. None of those solutions are mutually exclusive; they can be complementary. Any other answer that is not immediate, anything that kicks it off to the long grass, anything that requires all of the states and territories to agree is a failure on the part of the commonwealth government. It has committed to the Productivity Commission inquiry.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: It has gone through the effort of holding out hope to the people of Western Australia, and the idea that there now needs to be a consensus of all states is wrong. The federal Treasurer and/or the Prime Minister could change the system today if they wanted to. I am concerned that in his column Senator Smith appears to be implying that all states need to agree. The prospect of the Liberal Premier of South Australia or the Liberal Premier of Tasmania agreeing to reform is zero. Therefore, it requires the Prime Minister of Australia to exercise some leadership on this important issue.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: This is the number one issue confronting the taxpayers of Western Australia and I fervently hope that the Prime Minister does not squib it.

POLICE — WORKERS' COMPENSATION AND REDRESS SCHEME

463. **Mr P.A. KATSAMBANIS to the Premier:**

I would like to thank all the former police officers who sent a clear message to the McGowan government during the Darling Range by-election. Given \$50 million was provisioned by Treasury prior to the state election, which the Premier and his police minister stripped from the budget, will he now override his police minister and commit to funding a workers' compensation and redress scheme for medically retired police officers, as promised —

Mrs M.H. Roberts interjected.

The SPEAKER: Minister for Police! Start again, member. Every time they interject you can start again.

Mr P.A. KATSAMBANIS: I would like to thank all the former police officers who sent a clear message to the McGowan government during the Darling Range by-election. Given \$50 million was provisioned by Treasury prior to the state election, which the Premier and his police minister stripped from the budget, will he now override his police minister and commit to funding a workers' compensation and redress scheme for medically retired police officers, as promised at the election, or will he continue to ignore the strong voice of our current and former serving police officers?

Mr M. McGOWAN replied:

I have the utmost time for police officers across Western Australia. I have known a great many of them over a long career. As someone who has served in uniform, I appreciate the role of people who wear a uniform in our community —

Dr M.D. Nahan interjected.

Mr M. McGOWAN: I am sorry, what was that one?

Dr M.D. Nahan: You haven't shown it.

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: We saw the Leader of the Opposition's performance on Saturday night; we know what he is capable of!

I have the utmost time for police officers across —

Dr M.D. Nahan interjected.

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

Mr M. McGOWAN: We have the utmost time for police officers across Western Australia. The police minister is working very hard on both of those issues currently. Obviously, when we came to government, very little work had been done on either, so we are working to ensure that we come up with arrangements, especially in relation to police redress, in the near future. In eight and a half years, the former government did not do either. We are a little bit over a year into office and we are working to resolve in particular the redress scheme as soon as we can.

Mrs M.H. Roberts interjected.

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

POLICE — WORKERS' COMPENSATION AND REDRESS SCHEME

464. Mr P.A. KATSAMBANIS to the Premier:

I have a supplementary question. Does the Premier even realise how angry current and former serving police officers are over his handling of these issues or is he happy to continue to blame-shift and ignore our hardworking police officers?

Mr M. McGOWAN: It does not matter what the answer is, the member for Hillarys reads the supplementary question like Pavlov's dog. He did not listen to what I just said. As I said, I know a great many police officers and I have a great deal of empathy for police officers and the difficult work that they do across Western Australia, which is why we are working to resolve in particular the redress scheme in the near future so we can ensure that those police officers who feel aggrieved by the way they may have been treated upon leaving the police force receive some support.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: Obviously, all of these arrangements are difficult to construct in a way that everyone would be happy with, but the police minister is working to ensure that we come up with the scheme in the near future.

TOURISM — DIRECT FLIGHTS — CARNARVON AND MONKEY MIA

465. Ms J.J. SHAW to the Minister for Transport:

- (1) Can the minister outline to the house how the McGowan Labor government has been able to secure more affordable flights to Carnarvon and Monkey Mia and in doing so provide a tourism boost for these regional destinations?
- (2) Can the minister advise whether this would have been possible had the government followed the advice of the member for North West Central?

Ms R. SAFFIOTI replied:

- (1)–(2) I thank the member for this question. Yesterday we announced more seats and cheaper fares to Carnarvon and Monkey Mia. That is a result of a process, the tender, that we implemented, which started in September last year.

Mr D.C. Nalder interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: Are you intimidating?

Mr D.C. Nalder: No.

Ms R. SAFFIOTI: It sounds like it. Are you laughing at me?

The SPEAKER: Minister, through the Chair, please.

Several members interjected.

Ms R. SAFFIOTI: No, what I have found in this place —

Several members interjected.

The SPEAKER: Minister, through the Chair, thank you.

Ms R. SAFFIOTI: Mr Speaker, what I have found in this place is that there are two sets of rules—how Labor women are treated in this place and how Liberal and National Party women are treated. In my history in this place —

The SPEAKER: Minister, you will get back to the answer, please.

Ms R. SAFFIOTI: The member for North West Central interjected and I am responding to that interjection, Mr Speaker. There are two sets of rules in the way we have been treated in this place. When I had a near miscarriage, there was what the former Premier said in this place and also what he said to the now Premier about me. Those are things I can never, ever forget. When I raised it with the previous Speaker, they told me to suck it up. That is the sort of treatment I got.

Let me get back to this point, Mr Speaker. The member for North West Central said last September that we should abandon that tender process. He said we should not be doing that tender process. That is what he said. He said we should wait for the outcome of the inquiry and abandon that tender process. Now he is out there taking credit for it. It shows us that we cannot believe anything that member says.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: It shows that we cannot believe anything he says. Last September, he said to abandon the tender process. He said, “Why would you have a tender process?” Now what are we delivering? We are delivering cheaper flights and more flights to the people in that area. Only Labor has delivered this outcome. Everyone knows you cannot believe a word that that member says.

SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE —
DARLING RANGE BY-ELECTION

466. Ms M.J. DAVIES to the Premier:

I refer to the 64 per cent reduction in Labor’s primary vote at the Serpentine Jarrahdale Community Recreation Centre.

- (1) Does the Premier think this reduction has anything to do with his government’s decision to cut the Serpentine Jarrahdale Community Recreation Centre’s funding to \$50 000 a year?
- (2) Will the Premier now reverse the disgraceful 40 per cent funding cut to the community resource centres that are having a profound impact on their ability to deliver services to the communities they serve?

Mr M. McGOWAN replied:

- (1)–(2) Under the government I lead, the community resource centres will continue to be funded at a rate of either 70 per cent of the latest rate of funding or 50 per cent, but they will all continue to receive operational funding under my government. For the National Party, of all parties, the party that wrecked the state’s finances, to even raise financial matters in here is beyond the pale. It refuses to accept any responsibility for what it has done to Western Australia. The Liberals and Nationals are obviously showing every sign of arrogance and hubris in the way that they are conducting themselves today.

SERPENTINE JARRAHDAL COMMUNITY RECREATION CENTRE —
DARLING RANGE BY-ELECTION

467. Ms M.J. DAVIES to the Premier:

I have a supplementary question. What will the state government do to fill the service gaps left by the reduced capacity of our community resource centre network as a result of its cuts?

Mr M. McGOWAN replied:

I am wondering when the Leader of the National Party will raise the issue of remote Aboriginal communities. The kids who will lose housing and maintenance money are the most vulnerable kids in Western Australia. The National Party would not even know where a remote Aboriginal community was and is not prepared to take up the case for Aboriginal kids.

Several members interjected.

The SPEAKER: Members! Leader of the National Party, I call you to order for the first time. Minister for Housing, I call you for the second time.

Mr M. McGOWAN: We are suffering from threats and intimidation from Mr Scullion nationally, who is threatening to take away the last payment of the existing scheme. He is threatening that today because we dare to stand up for remote Aboriginal people. The National Party has not said a single word about that important issue. Today we have indications that the federal government is taking GST money away from Western Australia or not giving us a fair deal, and Mr Scullion and the federal government is refusing to reinstate support for remote Aboriginal communities. What do we hear from the Liberals and Nationals? Diddly squat!

TOURISM — DIRECT FLIGHTS — BROOME

468. Mr K.J.J. MICHEL to the Minister for Tourism:

Can the minister update the house on how the McGowan Labor government is delivering on its commitment to support regional tourism and ensure that flights to the regions are affordable for visitors; and, in particular, how it has been able to encourage more visitors to Broome?

Mr P. PAPALIA replied:

I thank the member for his question and his effective advocacy on behalf of the Pilbara. It is a relief to see such advocacy in contrast with the previous incumbent of that seat.

It is a pleasure to talk about what the McGowan government is doing for regional Western Australia—both for communities to provide them with some relief from the appallingly high cost of flights they encounter and also to boost tourism opportunities for the regions. That is something that was completely neglected for eight and a half years by the National Party and the Liberal Party in government.

Several members interjected.

The SPEAKER: Members!

Mr P. PAPALIA: For eight and a half years —

Ms L. Mettam interjected.

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

Mr P. PAPALIA: For eight and a half years the National Party and the Liberal Party wasted billions of dollars of taxpayers' money in the regions on projects that did nothing. Let us cast our minds back to the Kimberley. We recently enabled people of Broome and the wider Kimberley to access affordable flights. For the first time in more than a decade they are able to fly to Perth for under \$200 and fly return for under \$400. This is an incredibly significant support mechanism for the people of the Kimberley. We should compare that with the actions of the National Party during its eight and a half years in government. Through a portfolio that it controlled entirely, without any business case, it committed \$320 million of taxpayers' money to a project that built a road and a drain—and the drain leaked! No permanent jobs were created as a consequence of that \$320 million. It was over \$1 billion of taxpayers' money when the federal money contributed at the behest of the National Party of Western Australia is counted. And what was the outcome? What could have been done for remote Aboriginal housing for half a billion dollars? What could have been done for tourism in the regions for half a billion dollars? For half a billion dollars, what could have been done for flights to Broome and for local residents to be able to fly back to Perth? But that money was not spent on any of those things. That money was spent on an absolute vanity project in the Kimberley that resulted in nothing—no return for the people of Western Australia. Taxpayers got no permanent jobs out of it. All they got was a road and a leaky drain. That is what people should remember as they contemplate the Minister for Transport's announcement yesterday of, for the first time, affordable flights to Monkey Mia and Carnarvon in the member for North West Central's seat. It is incredible that in the eight and a half years of sitting on the government's backbench, that member was unable to deliver for his constituency. The day after it was announced that the coral coast had a 36 per cent increase in tourism in 2017 under the McGowan government, he had the gall to get the workplace experience kid in the office to get a text and write a sign on a bit of white corflute claiming that he was responsible for the change. He had obviously heard that we were going to announce affordable flights yesterday, so he tried to take responsibility on the Friday before. It is pathetic!

Ms R. Saffioti interjected.

The SPEAKER: Minister!

Mr P. PAPALIA: I echo the Minister for Transport's words. We cannot believe a word this member says. Behind him is a public record of a decade or more of failing to tell the truth. He cannot be believed!

Point of Order

Mr V.A. CATANIA: This is intimidation by the other side over an allegation that has been made.

The SPEAKER: If you want an answer on that, it is not a point of order.

DEPARTMENT OF EDUCATION — SAVINGS MEASURES

469. Mr I.C. BLAYNEY to the Premier:

Before I ask my question I would like to thank the campaigns to save Moora Residential College, community resource centres, Landsdale Farm School, camp schools, community kindergartens and other members of the community who have been impacted by the McGowan government's mean-spirited cuts to education and regional services.

Several members interjected.

The SPEAKER: Members!

Point of Order

Mr D.A. TEMPLEMAN: This is a preamble. This is not a question.

The SPEAKER: We will start it again and I am sure the member will cut it a little bit shorter at the start—not the whole lot.

Questions without Notice Resumed

Mr I.C. BLAYNEY: Before I ask my question I would like to thank the campaigns run on regional services during the recent by-election.

Several members interjected.

The SPEAKER: Members! That is preamble, so can you cut that out?

Mr I.C. BLAYNEY: Will the Premier now listen to the clear message sent by the people of Darling Range and immediately commit to funding Moora Residential College and the Landsdale Farm School and to reversing the government's cuts to education and other regional services?

Mr M. McGOWAN replied:

I note that the member for Geraldton is asking the question and that we are spending \$70 million on Geraldton Hospital, which the last government did not do. Geraldton Hospital needs significant improvement and upgrading. I have investigated the hospital myself and it needs significant expansion and improvement. That is what this government will do. In government, the Liberals did not do that. In fact, the Liberal Party ignored Geraldton when it was in government and, as I recall, the member for Geraldton only survived the state election by the skin of his teeth because our candidate was much stronger than him.

Let us look back in history at all the things the Gallop and Carpenter governments did in Geraldton, such as the foreshore, the southern transport corridor and the harbour deepening. All those things were done by Labor in government. Although the Liberal government blew out \$40 billion of debt, it failed to do anything. I cannot even think of a footpath in Geraldton that it managed to put in place.

Mr W.R. Marmion interjected.

The SPEAKER: Member for Nedlands!

Mr D.C. Nalder: Beach erosion!

Mr M. McGOWAN: What was that? Beach volleyball? It put beach volleyball or something in place —

Mr W.R. Marmion interjected.

The SPEAKER: Member for Nedlands, we heard you the first time. I call you to order the first time.

Mr M. McGOWAN: Since we have been back in government, we have made improvements for cruise shipping facilities and significant improvements to Indian Ocean Drive. Admittedly, it is not in Geraldton, but is on the way to Geraldton. We have made some significant road improvements in Geraldton. I do not expect gratitude, but the member for Geraldton has been blotting his copybook in this place recently with some shocking commentary about female ministers in this government for which he has not yet been held to account. Today he shows absolutely no appreciation for all the work being done by the government in his electorate.

The SPEAKER: That is the end of question time. Members, I have a statement.

Point of Order

Dr M.D. NAHAN: Mr Speaker, is it not customary to allow a supplementary question?

Mr B.S. Wyatt: He didn't stand up.

The SPEAKER: He is still sitting down now.

Mr I.C. BLAYNEY: I did stand up.

The SPEAKER: Did you? Okay, a supplementary question.

DEPARTMENT OF EDUCATION — SAVINGS MEASURES

470. Mr I.C. BLAYNEY to the Premier:

Thank you, Mr Speaker, for the supplementary question. As the Premier has seen from the Darling Range by-election, the people in the city are just as angry as the people in regional areas about his government's mean-spirited cuts to regional services. Once again, will the Premier commit to reversing the cuts to services or is he not interested in governing for all of Western Australia?

Mr M. McGOWAN replied:

Do you care about the cuts to remote Indigenous housing?

Mr I.C. Blayney: Yes, I do.

Mr M. McGOWAN: You do! I finally have someone on the opposite side who has actually said something mildly supportive! The only thing the Liberal and National Parties have said is, "Yes, I do" care about it. That is the extent of what members opposite have had to say.

Have you taken it up with your federal colleagues, member for Geraldton? He has a federal member of Parliament. I bet he has not had anything —

Several members interjected.

The SPEAKER: Members, you —

Dr M.D. Nahan: He asked us the question.

The SPEAKER: I do not care. When the Premier is on his feet, he is the only one who is allowed to speak. You wanted a supplementary question; you have got it. Let the Premier answer it.

Mr M. McGOWAN: Members opposite had absolutely no involvement in pursuing this issue on behalf of the most vulnerable people in Western Australia, most of whom live in one or two of their electorates. Members opposite are not out there. Who are they? It is Melissa Price and whoever else is the other federal MP—Rick Wilson. Melissa Price and Rick Wilson are both magnificently ineffectual at taking up this case on behalf of people in Western Australia, whom the Liberal and National Parties clearly could not care less about.

The SPEAKER: Thank you. That is the end of question time.

MINISTER FOR WATER — CHAMBER DECORUM — COMPLAINT

Statement by Speaker

THE SPEAKER (Mr P.B. Watson): Members, last Thursday whilst the member for Central Wheatbelt was on her feet speaking to a motion to suspend standing orders, the Minister for Water, the member for Bassendean, walked passed her to exit the chamber. After reviewing video footage and after speaking with witnesses, I inform the house of my findings.

It must be kept in mind that what occurred, occurred in a split second, and the witnesses I spoke with told me what they recalled seeing and their interpretation of what they saw. Also, each witness was positioned at different points around the chamber, which gave rise to differing viewpoints on what occurred. With these complicating factors in mind, I make the following findings. The minister, on his way out of the chamber, passed by the member for Central Wheatbelt, who was on her feet at the time. The member was intent on delivering her speech. The video footage shows that the member for Central Wheatbelt glanced at the minister on two occasions as the minister walked past her. On the second occasion, the minister is out of camera shot. Immediately thereafter, there can be seen a reaction from the two National members sitting behind the member for Central Wheatbelt.

I consider on the evidence that it more likely than not that the minister looked intensely at the member for Central Wheatbelt as he passed by her. I believe the member when she says she was unnerved by this. I find that the minister did not move his head in the member's direction to any significant degree. The member herself does not say this occurred. I do not intend to take any further action in relation to this matter.

MINISTER FOR WATER — CHAMBER DECORUM — COMPLAINT— PROCEDURE AND PRIVILEGES COMMITTEE REFERRAL

Standing Orders Suspension — Motion

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [4.04 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the Member for Central Wheatbelt, myself, to move the following motion forthwith —

That this house requests the Procedure and Privileges Committee to conduct an inquiry into the allegations raised by myself, the Member for Central Wheatbelt, against the Minister for Water in her letter to the Speaker last Thursday, namely that —

- (1) While myself, the member for Central Wheatbelt, was on her feet speaking to the motion to suspend standing orders last Thursday, the Minister for Water —
 - (a) passed between her and the Chair;
 - (b) was in very close proximity;
 - (c) seemed to lean in as he went by; and
 - (d) very pointedly looked directly at her; and
- (2) His behaviour was disconcerting and bordering on intimidatory.

Mr Speaker, I understand that I need to argue the urgency for moving a suspension of standing orders.

The SPEAKER: That is right.

Point of Order

Mrs M.H. ROBERTS: You just gave a ruling that this was the end of the matter. This motion would seem to fly in the face of your ruling. Does a motion need to be moved to dissent from your ruling for this motion to be valid?

The SPEAKER: I said I was not going to do anything, but it is up to members of the house to make a decision if they want to. It is up to the house to make a decision, not myself.

Debate Resumed

Ms M.J. DAVIES: Thank you, Mr Speaker. The house has just heard your ruling on this matter and I would like to put on the record that as the member involved in this complaint, I would like the house to make a decision whether it needs to go to the Procedure and Privileges Committee. This was and has been an issue that caused me

distress as a member of this place and I think that the standards of behaviour in this place should be the highest and we should be setting an example. If there is any question that that has not been upheld or adhered to then, as a house, we should set an example and send a message that we are attempting to ensure that all of our behaviours, at any point in time, are appropriate and that we are aware of the impact that our behaviours have on each other in our workplace. I am not a shrinking violet. I am not someone who is prone to worry about what is said in the heat of a debate. I am not concerned about what members say from their chairs. I am concerned that, even today, we have heard responses from members of this place undermining a complaint that I made legitimately and I uphold the complaint that I made. Those statements that I made indicate it was absolutely something that was disconcerting to me when the minister went past. It was unnecessary. Although I have no issue with any member on the opposite side having a robust debate with us across the chamber on issues, it was most certainly an action that caused me to take a step back and think, “Hang on, you are very close; you are too close.” It was designed to make me feel uncomfortable. I cannot let that go through to the keeper, Mr Speaker.

Point of Order

Mr W.J. JOHNSTON: The member just said that an action from the member for Bassendean was for a particular purpose. She cannot do that. She is not inside the member’s head. She can say how she feels but it is not in accord with the standing orders that she can infer an intention. That is clearly a breach of the standing orders.

The SPEAKER: I do not think you can say what his intention was in his mind, member, so if you could rephrase that?

Debate Resumed

Ms M.J. DAVIES: Yes, I can, and I withdraw that. I am not trying to verbal the member; I am trying to express to the house how I felt last Thursday.

The events did, as the Speaker has just said, happen in a moment but I can tell members that, at the moment that it happened, it certainly registered with me that the member was too close and it was absolutely disconcerting. There was no purpose for him, as far as I am concerned, to be as close as he was or for him to be looking at me as he exited the chamber. I watched the Premier and the ministers discount this complaint over the weekend. If this were a workplace of any other nature, and I know this is a special workplace where we have different rules of engagement, but we should feel free and be able to stand up and have a debate without feeling like our personal space has been invaded or that other members of Parliament are intimidating us.

I think the statements in the house today have been appalling. The Minister for Women’s Interests said that I have made up a complaint because someone else told me to. That is undermining what I consider to be an extraordinary, valid complaint to you, Mr Speaker. I tried to follow a procedure last Thursday, which was entirely appropriate. I raised it with the Speaker and sought your advice. I then heard members of the government, over the course of the next few days, discount it, I can only assume, because of the relationship that they have with the member for North West Central. Essentially, the statement has been made today that I am making a complaint because the member for North West Central asked me to do it. I can assure members that that is absolutely not the case. I am well and truly able to make up my own mind and well and truly able to understand when I feel uncomfortable in my own workplace. That is exactly what happened last Thursday. If there is not a strong statement from this Parliament in relation to this matter so we can return to some degree of civility in this place then clearly, without some resolution from the Standing Committee on Procedure and Privileges, the type of behaviour that we have experienced since two o’clock today will continue. This is not the example that this chamber should be setting; it is absolutely not the example that I think the people of Western Australia expect from our elected members.

It is a robust environment. We expect to be tested—absolutely, Mr Speaker, and I take no umbrage at any of the comments that I get from members opposite, in this place or externally. I have thick skin; I have been here for a while. But I will tell you what: when I feel uncomfortable in my workplace, I will absolutely make a statement to that effect, and I will seek to do it through the appropriate platform.

That is why we came to you as the Speaker. Mr Speaker, you will note that we even discussed the notion of having the Minister for Water and me sit down in a mediated meeting, which was rejected by the Minister for Water. At all points, I have tried to move through this process —

Point of Order

Mr D.J. KELLY: The member is misleading the house. I did not reject the notion of mediation; as Speaker, you well know that.

The SPEAKER: Minister, I will not get into the point, but I said, “Will you have mediation?” and you said —

Mr W.J. Johnston interjected.

The SPEAKER: I beg your pardon?

Just let the member have her say. The minister will get the chance to have his say.

Debate Resumed

Ms M.J. DAVIES: I will not be mocked in this place for making a legitimate complaint. I am appalled, as I have said, that members opposite think that I would fabricate a very serious issue. I understand the ramifications this has and knew that when I raised the complaint. It would have been easier to walk away, but that is not the example that any one of us should set.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [4.12 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

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

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [4.13 pm]: I move the motion.

Mr Speaker, you will be aware that I raised this matter with you last Thursday afternoon immediately after the suspension of standing orders was completed, and I sought your advice on how that matter could be addressed. I raised the issue almost immediately after it occurred. I had been on my feet in the chamber; I had been sat down a number of times in the five minutes that I had been on my feet. As I was on my feet, the Minister for Water passed between me and you, as the Speaker, and as he passed by, I raised concerns about how close he was and the fact that he looked very pointedly at me and made me feel uncomfortable, and it was bordering on intimidatory.

I was happy to take the Speaker’s advice that there would be a process undertaken to take evidence, I suppose, in an informal manner, from both me and others who may or may not have witnessed the incident that I raised. I know full well that such situations can be “he said; she said” situations. I am not canvassing the Speaker’s decision not to take it any further. I am, however, asking the house to consider that there are questions still unanswered, and I am very concerned about responses that the government and individuals within the government, today and over the course of the weekend, have raised in terms of saying that I fabricated the incident and that we are doing it for political reasons. That, to me, is the very reason why people do not raise complaints of this nature in the workplace. It is extraordinarily offensive. We are not all mushrooms; I do not think anyone would question the fact that if I raise something, or if I see something that I do not believe is correct, I am doing so because I absolutely believe it. I say to anyone who has not been watching what has been happening on the national stage for the last four months that they should go and have a look at it. Whether I feel uncomfortable, or whether I feel intimidated, or whether it was a small and unnecessary gesture that made me feel uncomfortable, I felt uncomfortable. I do not think any member in this house needs to feel like that. I am happy to come to this place, I am happy to be criticised, and I am happy to have members opposite pull apart our policies and our behaviour in our electorates; we expect that. This is a robust environment. But I expect that when one member of this place says that they felt uncomfortable, it should not be mocked by those opposite.

This does not mean that I discount anybody else’s experiences. I heard what the Minister for Transport said; I am sorry that happened.

Ms R. Saffioti: No-one cared.

Ms M.J. DAVIES: Well —

Ms R. Saffioti: No-one cared! It happened to me all the time.

Ms M.J. DAVIES: Minister, I was not —

Ms R. Saffioti: You all did it to me when I was pregnant!

Ms M.J. DAVIES: Minister, I was not —

The SPEAKER: Minister, please.

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

One injustice does not deserve another is all I would say.

Mrs M.H. Roberts: Hundreds!

Ms M.J. DAVIES: Whatever it is, Minister for Police. Those injustices that you believe occurred, and may well have—absolutely; I am not debating it.

Mrs M.H. Roberts interjected.

The SPEAKER: Minister for Police, Minister for Transport, I want to hear this in silence.

Mr P. Papalia: Two rules.

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

Ms M.J. DAVIES: Members opposite feel aggrieved about things that have happened in the past. I am telling them now that I felt aggrieved and uncomfortable in my workplace last Thursday. I can tell members that it was not a political fabrication; it absolutely was not. I was on my feet; I was trying to make a point. We were having a debate about live export and it was heated. In the middle of that conversation, when the incident occurred, I clearly recall thinking, “That is too close. What is this member doing?” I then took it up with the Speaker. I appreciate that the Speaker took it seriously and provided the opportunity for me, the minister and others who were witnesses to provide feedback.

What was most disappointing was the reaction that members opposite chose to pursue over the weekend. It is disappointing because it is exactly the reason that anyone, no matter how big or small a complaint is, thinks twice about making a complaint in the workplace. I am prepared to wear the fact that most will now say, “Well, she can’t cop it; she’s not tough enough”, and all those things. It is not about me personally; I have a thick skin and I do not think they are valid arguments, but it did happen, and I would very much like the Procedure and Privileges Committee to look into this and make sure that we, as parliamentarians, are setting the highest standards of behaviour, because that is what the people of Western Australia expect.

MR D.T. REDMAN (Warren–Blackwood) [4.20 pm]: I want to lend my support to this motion, and to get some resolution to the issue that played out last Thursday, and has just been described by the Leader of the National Party. There has been a fair bit of commentary since then. I take the comments that you have made today, Mr Speaker, about your investigative response to the letter that was written to you by the Leader of the National Party, but I make the point that these are just findings. You have made some findings and, as far as I am concerned, they are findings, and you have made the comment that you are not going to take this any further.

Therefore, what options are left to a member who feels aggrieved about an action that happened in this house to get some sort of resolution? Standing order 109, as I understand it, provides an opportunity to put a position on privilege. The other option is to put it to the appropriate organisation that deals with these matters in Parliament; that is, the Procedure and Privileges Committee. It is more than reasonable to refer the matter to that committee. There will obviously have to be some changes to that committee. We know that one of the witnesses was the member for Roe, who is on the Procedure and Privileges Committee. A process can be worked through so that the matter can be appropriately heard without any form of bias, so I am sure the Procedure and Privileges Committee can manage issues like that.

The public is looking in on the decision-making authority for the laws of this land having to resolve an issue of harassment that has been raised, and having to take appropriate steps to sort it. It probably would not be hard to put two and two together over some things that have happened over the last four or five months. I remember seeking some advice from some very good friends of mine in very high positions on boards in Western Australia—very senior ladies who have a lot of respect in the broader community. I sought advice about whether they would raise issues of harassment and intimidation in the workplace. Just about without exception, the response was that they would not, because they felt that the cost was so high for the process that they would have to go through. Others will make judgements about whether the costs have been high for the people involved with those issues over the last three or four months. That is the very reason a decision-making body such as this house—the platform where we build the laws of our land—has to get this right. The only option we have available is to put this to the Procedure and Privileges Committee, and have that committee consider it. There has been no resolution to it. You, Mr Speaker, have made some findings, and you have made the point that you are not going to pursue it any further. We believe it should go before the Procedure and Privileges Committee to consider the matters put forward and whether any steps or options should be put forward as recommendations to this house and for the house to have some sort of resolution to it.

No-one in this place would not want to send the right signals from the Parliament of Western Australia to the broader community to say that it is okay to raise these issues. We should be able to raise them without fear or favour of the outcomes or the processes following from that. That is what this motion is doing. I call on government and opposition backbenchers to support this process, put this matter before the committee, have the committee consider it and come back with a recommendation, and go from there. That is about the only process that we have to follow. I do not believe that raising this issue satisfies particularly the member for Central Wheatbelt and others in the findings that are made, because that is all they are. It is not a resolution to the matter. It still sits there. Putting it to a committee to make recommendations to the Parliament might be a resolution.

I hold the view that issues like moving in front of members are quite difficult. I remember when I first came into this place, I do not think we ever moved in front of members. I think it was banned, full stop. There might have been a change in the rules. Members used to be able to move behind the seats, when I first came into this place, so it was actually possible to avoid a speaker. Now we have members reasonably regularly passing in front of people. The judgement, even from the Speaker's findings, is that a step has gone a bit too far, and we need to have some sort of resolution to it. I think it is more than appropriate to be able to put it to the Procedure and Privileges Committee to actually resolve it.

MR V.A. CATANIA (North West Central) [4.25 pm]: I support this motion —

Mr M.P. Murray: You hypocrite!

The SPEAKER: Minister for Sport and Recreation, I call you to order for the first time.

Mr V.A. CATANIA: I was probably in the best position to see the minister, when he was crossing the floor.

Mr P. Papalia interjected.

The SPEAKER: Minister for Tourism, I call you to order for the third time.

Mr V.A. CATANIA: Firstly, what I do not understand is that there is a perfectly good door behind the minister where he currently sits, and often when he walks across the floor I get verballed on the way out. I was looking at him all the time to see what would come out of his mouth. When he walked straight, going towards the door here, behind me—as I explained to you this morning, Mr Speaker, and explained to you on Thursday after the incident occurred—he moved his right leg in a forward motion with his head, and opened his eyes and made a gesture moving forward. I tried to raise two points of order. In the second point of order I said that the Minister for Water moved his head forward towards the Leader of the National Party. I have used the words “feigned headbutt”, and if members do not know what a feigned headbutt is, it is to pretend, be insincere, to fake, to sham—that is what I believe the Minister for Water did. He might not have been intending to headbutt the person, but he moved his head in a motion that was going forward to the Leader of the National Party.

Ms S. McGurk interjected.

The SPEAKER: Minister for Women's Interests, I call you to order for the first time.

Mr V.A. CATANIA: The intimidation and bullying, and the character assassination by the other side against me, because I have actually stood up and said that this is not welcome, is inappropriate behaviour; it is threatening behaviour, not just to a female member of Parliament, but to any member of Parliament. The intimidation and bullying that occurred, firstly from the Premier on the Friday morning with his interviews in the media to try to hurt my credibility, and dismiss an allegation that was pretty serious, because it was me, a former Labor member, shows that the hatred towards me has made members opposite blind, and has not allowed the leader of this state to make the correct judgement. That is the real problem here. Nevertheless, members opposite should put aside their anger towards me, when they see the video footage of the reaction on my face, and those of the member for Roe and the Leader of the National Party. I believe there were more witnesses who may have seen what happened. Clearly, something happened, whether it was a feigned headbutt or a movement towards the Leader of the National Party. It was intimidation. That is why we need the Procedure and Privileges Committee to inquire into it. Clearly, something happened. Whether it was a feigned headbutt or a movement forward, there was clearly something that the Minister for Water did. What is really disappointing is the response at question time by the Minister for Women's Interests. The constant attack on me personally for bringing this issue to the floor of the Parliament last Thursday is concerning. The words from the Premier was that he did not see it, so it did not happen. Really, in this day and age—if he did not see it, it did not happen—that is what is really concerning. The Minister for Water has not apologised, because clearly something happened. He knows that something happened, because he looked up and on the way out he said some words that I will not repeat in this house.

Mr D.J. Kelly: I called you a dill.

Mr V.A. CATANIA: He kept on going.

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

Mr V.A. CATANIA: Clearly, something happened. Clearly, there was intimidation by the Minister for Water. The personal attacks and saying that this has been fabricated by the Leader of the National Party or me, are clearly intimidation and bullying tactics to try to deter us from telling the truth. This needs to go to the Procedure and Privileges Committee, because that is the right thing to do, to make sure that we get to the bottom of it, because clearly something happened.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [4.30 pm]: Once again, the government does not like to get up to say anything and perhaps present an opportunity for rebuttal of the opposition. I am pleased to stand on behalf of the Liberal Party to support this motion. When these sorts of issues are debated in this place, it is very tempting for us to go back over our personal experiences to look for incidents

in which we felt aggrieved, incidents in which we recall feeling intimidated or whatever it might be. However, issues from the past in the context of this motion are, quite frankly, just not relevant. The house has before it a request from the member for Central Wheatbelt to have the issue that concerns her dealt with by the Procedure and Privileges Committee. It is very brave for a female to stand up in this place, an arena of politics, and say, “Actually, I was vulnerable and I was intimidated by the actions of another individual”. When women do that, people point the finger at them and say that they are just not cut out for this job. That is the risk that we take when we stand up and decide to be accounted and request of this Parliament the standards that we have legislated into every workplace in Western Australia. That is what the member for Central Wheatbelt is asking for with this referral to the privileges committee. We can talk about what happened when we were pregnant, what happened when my husband was ill and other issues. We can bring them in if we want to, but the fact remains that the member for Central Wheatbelt said, “I felt intimidated by these actions. I want the privileges committee to investigate them because I want to have some kind of recourse. I want the privileges committee to look into it and make a determination and to verify that what I felt was valid and that what I experienced happened”. Victims of violence from right across the state say that the biggest challenge is getting victims of crime to stand up and ask for help because they do not want to feel more vulnerable, they do not want to be ridiculed and they do not want to be dismissed. They do not want to have someone say, “She made that up”, and be made to look like an idiot. That is what they do not want to happen. That is what is happening to the member for Central Wheatbelt and this Parliament needs to hold itself accountable to the laws that it passes to protect people in those circumstances. I hope the government supports this referral—I really do. It is not a witch-hunt—it is about standards. Someone has been brave enough to stand up and say, “No. We deserve a better standard. I deserve a better standard. I deserve to make a contribution in this place without somebody entering my personal space and making me feel intimidated and making me feel like I have to step back”. Every single one of us deserves to feel like that in this place during debates when we represent our constituencies. Every single one of us deserves to feel like that and to feel protected. There is a big space between me and the member for Central Wheatbelt. Why on earth was she obscured from my vision for a period of time during this incident? Why does anybody have to not walk right down the middle of a big wide corridor like that?

The SPEAKER: Be careful what you say because we have video evidence. Making statements like that might be slightly misleading about the facts.

Mrs L.M. HARVEY: I was saying that the member for Central Wheatbelt does not sit far from me. I would like this matter to be investigated by the Procedure and Privileges Committee. I commend the member for Central Wheatbelt for being brave enough to stand in this place and say, “No. I felt intimidated and it was wrong and inappropriate. I want it taken further”. Every single member in this place should stand behind her and applaud her bravery and what it takes to say, “No, I felt vulnerable. I am a member of Parliament, I am the Leader of the Nationals and I was vulnerable”.

MR M. McGOWAN (Rockingham — Premier) [4.35 pm]: I will speak briefly to this motion because I know that a range of my colleagues want to make a contribution. I note, Mr Speaker, that you received a complaint on, I think, Thursday from two members of Parliament and that you decided to undertake an inquiry into the matter. I note that over the last couple of days or thereabouts that you, Mr Speaker, heard evidence from nine people, perhaps more or less, about this matter. I also note that today you made a ruling, a decision based on the evidence that you received about this matter. I think the ruling you made, which was based on the evidence that you received, outlines the view of —

Point of Order

Mr D.T. REDMAN: On a point of clarification, the Premier is referring to a ruling. I did not think that this was a ruling that you made.

The SPEAKER: It was a statement that I made—statement or ruling. I made the statement and the ruling. I do not think that is a point of order.

Debate Resumed

Mr M. McGOWAN: Mr Speaker, it was a statement you made earlier after hearing evidence about this matter. The statement you made summarises the issues and the findings you have come up with as a consequence of hearing evidence from the various people involved. The most serious allegation made was the one made by the member for North West Central about a head movement or a headbutt movement, I think was the wording used. Mr Speaker, I will quote from the statement that you made earlier today, which reads —

I find the minister did not move his head in the member’s direction to any significant degree. The member herself does not say this occurred.

Mr Speaker, after hearing evidence from the Leader of the National Party and other members of Parliament, you indicated that the evidence indicates that no such head movement by the Minister for Water occurred. Mr Speaker, you have determined on that basis that the matter is now dealt with and is now closed. It would be open to the

government to support this motion and, therefore, undermine your ruling, Mr Speaker, which I think would make your position very difficult; or we could amend this motion to incorporate the statements by the member for North West Central, which you have found to be, by your own statement, inaccurate—in fact, untruthful—or we could incorporate the behaviour of some Liberal MPs in recent days, including some intimidatory behaviour and language in this house, and allow a free-for-all to go on. However, I think it is far better that we get back to governing in the interests of Western Australians. Mr Speaker, we accept that you have heard the evidence, examined these matters and made a statement or ruling. It is time that we got on with the business of governing Western Australia.

MS R. SAFFIOTI (West Swan — Minister for Transport) [4.38 pm]: I rise to speak to this motion. This is sometimes not an easy place. This is sometimes a difficult place with the debates that happen and the structure of the chamber. We have an old-style chamber in which we are very close to each other. Sometimes many of us—men and women—leave this place feeling a little battered and bruised from the debates. That is very, very fair to say. What is clear about this incident is that the member for North West Central said something that was not true. He said it in the lead-up to a by-election and there was a strategy to relay that through a press conference on the Friday before the by-election. We know what happened—it was a strategy set to undermine Labor.

I want to talk about intimidation and bullying in this place. Only a week and a half ago, I got up to make a speech during private members' business about Darling Range. There were five men on other side of the chamber. Two of them leant forward and were interjecting constantly. It took a point of order from the member for Cannington to stop them. They would not stop. I called on the Acting Speaker to help me. Both members leant forward, they both pointed their hands and would not let me speak. I could have taken that incident to the Speaker more formally. There are constantly incidents in this place. If this is the new bar, members opposite had better watch it every time we stand up during question time, because they will not be able to look at us badly or interject on us. That is the new bar. As I said, a week and a half ago, the members for Bateman and Churchlands both leant forward, and there were only men on the other side of the chamber—I looked up and there were five men—and they looked at me menacingly, and I was unnerved.

Mr D.T. Redman interjected.

The SPEAKER: You had your go. Let the minister have a go.

Ms R. SAFFIOTI: The member for Scarborough said that if women feel intimidated, they should have the right to say it. I have the right to say it: I was unnerved by that incident. What did the member for Scarborough do? She attacked the accuser. She just came and attacked me. That is exactly what happened. If this is what members opposite want to do in relation to debate in this place, as I said, I will refer that incident. The member for Cannington who saw that I was unnerved stood up and took a point of order. We all have issues that we are dealing with, and sometimes we feel more vulnerable than in other situations.

I will go through again what I have been through in this place. As a new member in this place, I stood up to give my maiden speech and the former Premier heckled me, and he did not stop for eight and a half years. People ask me why I come into this place and act like I do in an attacking way. I do it because I had to survive for eight and a half years—constantly. Members opposite who were here know it. The constant attacks on me by the previous Premier were awful. As a new member, in my maiden speech, he heckled me, and he did not stop for eight and a half years. No-one from the Liberal or National Parties supported me. It was far worse than anything I have seen in this place now. No-one supported me. Let us go through the worst incidents of it. When I was going through IVF—I have said this in this place but no Liberal Party person has apologised—and I was going through a miscarriage scare and the former Premier was attacking me about I cannot remember what, the current Premier and I had a chat: I told him that I could not cope and did not want to come to Parliament, but I did not want to stay away, because I knew what they would have done. When I missed a day of Parliament, they attacked me for it. The current Premier supported me every step of the way and went to the former Premier and said, “Rita is in a bad spot and you need to give her a break.” He outlined what was happening. Do members know what the former Premier said? He said, “I can’t keep the dogs off her.” That is what happened.

Another colleague said to me that I should not have done it and that I should never have shown fear. Guess which colleague that might have been? Alannah MacTiernan said to me that I should not have done it and that I should never show fear, because when Labor women show fear in this place, we get destroyed. We cannot be vulnerable. When I announced taxi reform, I was throwing up in my office. Someone might have seen it. I was throwing up because I caught a virus that morning. I still did the crossbench briefing. I did the caucus briefing. I ran outside to the south entrance—Lisa Baker saw me—and was throwing up, but I wanted to come in to question time because it was taxi reform. On the same day, my dad was rushed to Royal Perth Hospital. It was one of the worst days of my life, and on the radio I heard the member for Scarborough attacking me for not being in this chamber.

Several members interjected.

Ms R. SAFFIOTI: Let us go through it. I look at Grace and how beautiful she is, but I cannot get those days and what the previous Premier did out of my memory. When I had Grace and asked for some support about feeding her in this chamber—remember that?—I went through hell. I had a baby and who supported me? Nobody. The member for North West Central went on radio —

Mr V.A. Catania interjected.

Ms R. SAFFIOTI: You did. He did to kick me about it.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: He did. I was going through a very emotional time, as first-time mothers do. I was vulnerable, and the members for Jandakot and North West Central went on radio to kick me about it. That is what they did. So, sorry we are taking this stance, but, in my view, there have always been two rules in this place. It is because we are the Labor Party and we can debate. I stand up and debate strongly, but do you know what? I had to survive. I got better and better because the former Premier—I am not glad, because at the time it was pretty hard—made me stand up and defend myself every day of the week. The intimidation, the bullying and the personal attacks—he called me everything under the sun. When I tried to get some assistance, the former Speakers gave me none, because they were conservative Speakers on this matter.

Yes, member for Scarborough, I do get emotional about this. The member may think it is irrelevant, but it is not irrelevant, because this is a hard place and we all have vulnerabilities in our personal lives on any given day, whether it is relationships, sickness or death. We all have vulnerabilities. What I will not stand for is that we are never allowed to have those vulnerabilities on this side. Another more recent example is when we did not give answers back for upper house question time. That was because I was carrying my sick father back home from Hollywood Hospital and I could not get access to clear some questions. They went and did a video on it.

I understand that this is a tough place. Member for Central Wheatbelt, I understand that. I understand that we all go through tough times, but, as I said, to try to undermine the Minister for Water in this way, led by the member for North West Central, is completely out of order. If this is the new bar, I am saying that I will raise points of order and refer things to the Speaker every day, because there is not one day that the Leader of the Opposition does not interject on me and laugh at me. Look at him now.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: He cannot help himself. He cannot help insulting us and laughing at us. I do not feel good about that.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: I take issues of harassment and bullying very seriously; I really do. Sometimes this is not a great place to work and we go home and we feel it has been too tough. That happens a lot of times. You wonder: why do we get so combative? The reality is that this is the Parliament of WA and we are all trying to do the right thing, but if this is to be accepted, there will be many, many further referrals. To be honest, compared with previous Speakers, that the Speaker has already taken this issue so seriously as to interview everybody is a much greater step than what the two previous Speakers would have done. I think the Speaker has taken the issue seriously and has undertaken an investigation.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [4.50 pm]: It will be hard to top that contribution, because the previous member has not only put in context the complaints that have been made, particularly by the member for North West Central, but also what has to be endured by individual members of this house, frankly, of all persuasions day in and day out.

I want to talk specifically about the complaint and now the motion that this matter be referred to the Procedure and Privileges Committee. The member for Central Wheatbelt is claiming that the minister passed between her and the Chair, a matter that happens I do not how many times in the course of a sitting day in the traffic of this house; he was in very close proximity, another matter that happens every day; he seemed to lean in as he went by and very pointedly looked directly at her. That is the member for Central Wheatbelt's allegation against the Minister for Water. As I understand it, Mr Speaker, those are exactly the terms that were previously referred to you. Your statement, as the Premier has pointed out, states —

I find that the Minister did not move his head in the Member's direction to any significant degree. The Member herself does not say this occurred.

Let us be clear what the member for Central Wheatbelt is claiming and the extent to which this is supposed to be intimidating—perhaps to her it was. But let us put it in context with what is experienced every day in this chamber by all of us, across the chamber, between each other all the time. Let us put in context what is being claimed and has already been heard by you, Mr Speaker; you have interviewed witnesses and made a statement to Parliament. Let us put that in context. The aggravating factor has been the member for North West Central making claims

about a so-called headbutt, of which you find there was no veracity and nothing to substantiate that claim, that got a very extensive run in the media in the lead-up to a by-election. It has been incredibly inflammatory to the claims by the member for Central Wheatbelt. We need to take a step back and look at the claims being made by the member for Central Wheatbelt. They are very mild. They may have been intimidating to the member, I do not know, only she knows that, but she asked the Speaker to investigate it, he has investigated it and he has handed down a statement. That should be the end of it.

MRS M.H. ROBERTS (Midland — Minister for Police) [4.52 pm]: I certainly respect the contributions of the two former speakers, my colleagues, on this matter. The fact is that this is a robust place and emotions often run high. I have been here longer than everyone and if I had to rate this on what I have seen in here over that period and if I thought long and hard enough and reflected on some *Hansard*, there were probably a thousand or more occasions in which significantly bad things have happened in here, and some of them to me. I remember being told to stick to my knitting in the first week or two I was here. I have had people comment across the chamber during debate about my appearance, amongst other things, and a lot of very nasty stuff. I have seen people in here visibly upset—we all have. Has anyone here taken any action? Do members remember when I introduced the bill to give women the right to breastfeed in public places? Adele Carles, the then member for Fremantle, got to her feet and she was talking about her own personal experience. She was interjected on by Christian Porter, the then Attorney General, who was very dismissive of her concerns. He was dismissive of me, he was rude to me and I anticipated that. She was a new member of the house. She was talking from the heart and she was bawling her eyes out at the back of this chamber. It was on national television and it was publicised, but did anybody in here refer that to the Speaker? Did anybody refer Christian Porter's behaviour, his attitude or his patronising whatever? No, they did not. Did anyone refer the squirrel-gripping incident that we saw to the Speaker? I do not think so. There is a fair dose of hypocrisy from members opposite.

I conclude by saying that we all need to show each other a much higher level of respect. That does not require anything being investigated by the Procedure and Privileges Committee. It can, of course, consider the standing orders of this house and it can consider a range of matters, but we should show each other, male or female, a considerable amount of respect. I remember the kind of mocking that the former member for Vasse used to do to all members of this house and it was disgusting.

Division

Question put and a division taken with the following result —

Ayes (18)

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

Noes (34)

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

Question thus negatived.

CEMETERIES

Petition

MR W.R. MARMION (Nedlands) [4.59 pm]: I have a petition that has been certified as conforming to the standing orders by the Clerk. It has 391 signatures and reads —

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 current destruction of memorials at Karrakatta and other Western Australian cemeteries as part of a process the authorities term redevelopment is both unnecessary, shows great disrespect to families whose loved ones are interred therein, and disrupts the association of the people of Western Australia and their history. It is particularly disrespectful of deceased servicemen who have elected to be interred with their loved ones, rather than in the War Cemetery.

Now we ask the Legislative Assembly to move to halt the redevelopment of Western Australian cemeteries, to restrict the further removal and destruction of headstones, markers, plaques and any other type of funerary monuments or memorials at those cemeteries and press the government to take urgent steps to establish new cemeteries to meet the needs for future interments.

And your petitioners, as in duty bound, will ever pray.

[See petition 93.]

WORKERS' COMPENSATION AND INJURY MANAGEMENT AMENDMENT BILL 2017

Assent

Message from the Governor received and read notifying assent to the bill.

PAPERS TABLED

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

PUBLIC ACCOUNTS COMMITTEE — THIRD REPORT — “PCH—A LONG WAITING PERIOD — A CRITIQUE OF THE STATE’S MANAGEMENT AND OVERSIGHT OF THE PERTH CHILDREN’S HOSPITAL PROJECT”

Government Response — Statement by Speaker

THE SPEAKER (Mr P.B. Watson): I advise that in relation to the recommendations contained in the third report of the Public Accounts Committee “PCH — A Long Waiting Period — A critique of the State’s management and oversight of the Perth Children’s Hospital project”, which was tabled on 22 March 2018, no response has been received from the government by the required time.

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

Standing Orders Suspension — Notice of Motion

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —

That so much of the standing orders be suspended as is necessary to enable on Wednesday, 27 June 2018 the Premier and the Minister for Child Protection to make statements up to a maximum of 15 minutes each concerning Western Australia’s response to the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse, and for the Leader of the Opposition, the Leader of the Nationals WA and then any other member to be able to make statements in reply up to a maximum of 15 minutes each until 2.00 pm, unless concluded earlier.

BUSINESS OF THE HOUSE — PRIVATE MEMBERS’ BUSINESS

Standing Orders Suspension — Notice of Motion

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —

That so much of the standing orders be suspended as is necessary to enable private members’ business to have priority from 4.00 pm to 8.00 pm on Wednesday, 27 June 2018.

BILLS

Notice of Motion to Introduce

1. Administration Amendment Bill 2018.
2. Child Support (Commonwealth Powers) Bill 2018.
3. Legislation Bill 2018.

Notices of motion given by **Mr D.A. Templeman (Leader of the House)** on behalf of Mr J.R. Quigley (Attorney General).

RESERVES (TJUNTJUNTJARA COMMUNITY) BILL 2018

Notice of Motion to Introduce

Notice of motion given by **Ms R. Saffioti (Minister for Lands)**.

McGOWAN GOVERNMENT — COST OF LIVING, EDUCATION BUDGET AND INFRASTRUCTURE PROJECTS

Notice of Motion

Dr M.D. Nahan (Leader of the Opposition) gave notice that at the next sitting of the house he would move —

That this house calls on the McGowan government to listen to the loud message sent by the people of Darling Range, including a commitment to lower the cost of living for struggling households, reinstate its cuts to regional education and commit to funding its infrastructure commitments, including Tonkin Highway extension and the Byford rail line.

ELECTORAL ENROLMENT — PILBARA*Removal of Order — Statement by Acting Speaker*

THE ACTING SPEAKER (Ms M.M. Quirk): I advise members that private members' business order of the day 1, "Electoral Issues and Campaign Activities", has not been debated for more than 12 calendar months and has been removed from the notice paper.

McGOWAN GOVERNMENT — REGIONAL SERVICES — FUNDING*Matter of Public Interest*

THE ACTING SPEAKER (Ms M.M. Quirk) informed the Assembly that she was in receipt within the prescribed time of a letter from the member for Moore seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MR R.S. LOVE (Moore) [5.08 pm]: I move —

That this house calls on the McGowan Government to reverse its mean cuts to services in regional WA, including education, health, community resource centres and the closure of Moora Residential College in light of the result of the Darling Range by-election.

Last weekend, the people of Darling Range pronounced a very sharp judgement on the performance of this current government. For those people who are not all that familiar with Darling Range, although I am sure most people in this house will be by now, I was quite surprised when I went out there to see the rural nature of much of that seat. Towns like Mundijong and Serpentine are probably not that much different from some of the towns within my own electorate of Moore, especially some of the closer urban areas, with Byford being very much an urban area of the electorate. As we know, the government has made some very mean spirited and damaging decisions in regional WA and these decisions have been coming thick and fast really since the government was first brought in. Many, many important programs previously funded by royalties for regions have been cut and the royalties for regions money, as we know, has been repurposed towards paying the ordinary expenses of running the state. A particular focus in recent times has been the decisions around the cuts to regional education. Since late last year we have been aware that regional education is something that this government has not been taking very seriously. Indeed, the early decision to close the Schools of the Air caused a huge amount of kickback initially, and one of the main campaigners around that was a lady connected with the Isolated Children's Parents' Association, Raelene Hall. Just to show what people in country areas are thinking at the moment and how they feel, I will read a quote from Raelene, who states —

Wouldn't it be nice if rural, regional and remote people could just go about their lives without having to fight for every damn thing we need, require or would just like

That is pretty well where we are at now in regional Western Australia since the McGowan government came in. One of the sharpest discussion points at the moment is the closure of Moora Residential College. It is a victim of the cuts announced around the same time as that to the Schools of the Air. However, unlike that cut, it continues to this day. The supporters of Moora college have been very active in highlighting the disastrous effect the closure of the residential college will have on education for that large swathe of country areas running from Perth to Geraldton. We have seen many "Save Moora Residential College" activities in social media, and in Perth, Australia and the world, banners can be seen asking for Moora Residential College to be saved. Of course, a marsupial has evolved in Moora—the Moora quokka, which has been very active in spreading the message of support for the students of Moora.

Many supporters of Moora Residential College were involved in the Darling Range by-election campaign. The Moora quokka herself came down to lend support to the campaign—not for a particular party so much as to send a message that what the Labor government was doing was very damaging to country people. I believe that the people of Darling Range made their decision in full knowledge of the concerns of regional people about the disastrous effects of those government decisions. They were very much aware of those things in the pre-polling that took place. Voters in the bush are wondering how the message can be brought to this government any more clearly than the recent loss of that seat that Labor was so proud to previously have held in this house. A nine per cent swing is not the ordinary swing seen in by-elections. It is an extraordinary swing. That sort of swing would see members opposite after the next election sitting not on that side of the chamber, but over here—those who are left! They are making the mistake of thinking that city people do not care about regional Western Australia. That has been demonstrated to be wrong. The people of Darling Range have given the government a very clear message. I ask the government to listen to those people and reverse the cuts that it has been making across a whole swathe of regional services, but especially to Moora Residential College.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [5.13 pm]: I rise to support the motion —

That this house calls on the McGowan Government to reverse its mean cuts to services in regional WA, including education, health, community resource centres and the closure of Moora Residential College in light of the result of the Darling Range by-election.

As a country member of Parliament, it was astounding to me to stand at a polling booth in Byford over the weekend and gauge the sentiment against this government. It was a sentiment of shared aggrievement and grief that this government has made over the last 15 months to institutions such as Moora Residential College. Even voters from the electorate of Darling Range understood that this government was making poor decisions. They could not understand why education cuts were one of the first things on the Labor government's agenda or why important services such as community resources or community kindies, which are grassroots community organisations they would expect the Labor government to support, were being cut. Voters are within their rights to question the government's priorities. That is what the voters of Darling Range did on Saturday. I stood out there and the Nationals WA provided a platform for those groups that felt aggrieved to say, "This is not on, Premier!" It was their chance to send a message to the government and to garner support from the electorate, which had had to go back to the polls because of the Labor Party's mishandling of its two previous candidates.

I felt for the Labor candidate, because she had been handed an impossible job. The entire state was watching and saying, "We don't like what this government is doing." It is particularly appalling in regional Western Australia. Members opposite still defend their records in regional Western Australia. The first thing the Minister for Regional Development and her parliamentary secretary lead with is, "We've more regional members than any other political party in this house." They must be going to caucus or party room meetings every Monday or Tuesday—whenever they are held—and saying, "Give us a hand!" Labor is on the nose in regional Western Australia, which can be seen in the results in the more rural booths in Darling Range. Voters were well aware of the government's record of the past 15 months. Community resource centre groups and those who rely on those centres—one is in Serpentine–Jarrahdale—and the Moora college group were there in full force. They were prepared to mobilise their communities to come to Darling Range. That is how aggrieved, upset and devastated they were that these services are being withdrawn from their communities. They were prepared to drive hundreds of kilometres, not only on polling day of Saturday, but also before that to make sure that the polling booths were covered and to support the notion that the electorate needed to put anyone but Labor first. That "Put Labor Last" message was enough to drive communities that were feeling the keen loss of their community resource centres.

We have asked many questions in this place about community resource centres and Moora Residential College and will continue to do so. To leave it alone and leave communities to fend for themselves would be to give this government the right to walk away and say, "You don't care. No-one is making noise about it." I can tell the Premier that everyone in regional Western Australia—it seems even in a metropolitan seat—absolutely does care and they demonstrated that on Saturday. Across the board, they said, "We don't like what you have done for the last 15 months." We were very proud to stand alongside those groups, to support them and to make sure that their messages could be heard. These are people who are not used to having to fight for services. They are not used to having to come and scrap and say, "Please may we have services that we would consider to be essential in our communities?" This government has forced ordinary mums and dads—people who would be doing good things in the communities—to engage in a political process that they should not have to be engaged in. Quite frankly, Saturday's result was a very good signal to the government that it needs to do more to convince regional Western Australians that it is actually thinking about them and that it has a heart.

MR V.A. CATANIA (North West Central) [5.18 pm]: Put Labor last! The people of Darling Range have certainly put Labor last! The swing against Labor clearly shows that this Premier is arrogant and out of touch. They are calling him "Mean Mark". He is an arrogant Premier—the meanest Premier that this state has ever had.

The ACTING SPEAKER (Ms M.M. Quirk): Member, you know that under standing orders you are to refer to members of this place by their seat or by their position.

Mr V.A. CATANIA: You are right. Sorry, Madam Acting Speaker.

He is the meanest Premier this state has ever had. That is what the people of Darling Range said on Saturday. It was a 9.1 per cent swing. At the start of this year, I stood in this place and said that a three per cent swing would see eight seats disappear on the way to a change in government. That was off the back of \$64 million of cuts to regional education and the stupid decision made by the meanest Premier in Western Australia to cut regional education services such as Schools of the Air. He is the meanest Premier! I went to the fiftieth anniversary of the Carnarvon School of the Air and all they could say was how mean this Premier was. The Carnarvon School of the Air was celebrating its fiftieth anniversary and it thought it would never be able to celebrate its fifty-first anniversary next year because of the cuts that the Premier made just before Christmas. Those cuts have set the tone for this government. I did not know how much of a tone they would set but when there is a swing of 9.1 per cent against the government, it is not just because of problems with former members and candidates. I never heard from the Labor candidate for Darling Range. All I could hear was the mean Premier on TV and radio, talking about all the things that he was going to do. Clearly, that was not good enough because people are sick and tired of being charged an extra \$750 by the Labor Party within 15 months of it winning government. Members opposite have no plan. Their plan is to cut services to regional Western Australia. Their plan is to cut spending in regional Western Australia. When it comes to the budget for Main Roads Western Australia, members opposite talk about

the amount of money—the billions of dollars—going into regional roads but they are all projects started by the previous government. The only new money I can find is about \$60 million or \$90 million for something to do with Bunbury. Clearly, the smoke and mirrors, arrogance and meanness that the Premier is showing to the people of Western Australia is coming through. The Labor Party is now going to set a new precedent in Western Australia as a one-term government. Members in all these seats should be worried: Joondalup, Kinsley, Jandakot, Murray–Wellington, Pilbara, Kalamunda, Burns Beach, Bicton, Mount Lawley and Albany; and, of course, we had Darling Range. It is gone; it started the cascade. It started the one-term government.

The Premier has a mean spirit and the government is charging mums and dads out there, taking from the people of Western Australia because it has no financial plan. Members opposite talk about budget repair and the forty thousand million dollars but they have no plan. They cannot tell me how much Metronet is going to cost but I reckon it is about \$10 billion! It is going to cost the taxpayers of Western Australia \$10 billion. Come clean; be open and transparent—something that members opposite are becoming renowned for not doing. When members opposite will not say how much Roger Federer was paid or how much Qantas was paid for cheaper fares to Broome, they are not being open and transparent. The people are starting to know the Premier as the mean Premier—the one-termer—and the members of Parliament in the seats that I just listed are gone. Suddenly, the Premier has become the meanest Premier in Western Australia's history. That will be shown come 2021.

MR D.T. REDMAN (Warren–Blackwood) [5.24 pm]: Someone said once that politics is ruthlessly governed by arithmetic and the magical number out of the weekend was 9.1 per cent. It was a 9.1 per cent swing against the government in the seat of Darling Range, which would effectively take out 13 seats right across government as a uniform swing if the government went to an election now. It is interesting to see the outcome of this by-election because our view is that people in regional Western Australia have been underdone; this government has been mean to them, as the member for North West Central highlighted. However, I did not expect to see the level of swing in the seat of Darling Range. That says that the government is starting to get on the nose, if it is not already on the nose. That means the government has a chance; it has an opportunity here. It has had very direct feedback from a poll on Saturday in the seat of Darling Range, which has a lot of rural areas, as highlighted by the member for Moore. There are also a lot of metropolitan areas. It is quite a diverse seat. The government has a chance to respond to a unique circumstance in which it has been given very direct feedback from the electorates that it represents. The people of Darling Range said, “This government needs to go” with a swing of 9.1 per cent which, if uniform across-the-board, would mean the Labor Party would lose government. I think that is a massive issue for this government to consider. It has therefore reinforced what is happening in the decision-making process of government. It is a mean government to those people out there, which affects not only people in regional Western Australia, but also those in metropolitan seats. Members in 13 seats need to stand on guard because, if this continues, they will not be members of Parliament any more. They will need to hand in their cars and give back their privileges. Whatever they have as members of Parliament, they will not have any more because it will be gone.

We highlight that this government does not have a regional agenda; it is spasmodic at best. We had debates in this house last week in which we talked about the Minister for Regional Development and Agriculture and Food—those two big portfolios that people in the regions look up to for how the government responds. Those portfolios indicate how the government positions itself in the economy of Western Australia, in health and education services for regional Western Australia, and in agriculture, which is the second biggest contributor to our economy. The message the government is getting is that people are not happy. It is a signal to the government to say, “You're on notice.” I am sure that if government backbenchers are not thinking clearly now, they should be, about the issues that will affect them when they go to the next election. The decisions that this government has made regarding the points we have raised in this matter of public interest, including around education, health, community resource centres, the closure of Moora Residential College, cuts in education for the camp schools and the cuts to agricultural education, are starting to flow through in very real terms.

I remember when the Minister for Education and Training and the Premier responded to the first cuts that the government put in place to the School of Isolated and Distance Education, the Northam hostel, the gifted and talented education program and other cuts to funding for senior teachers in the education system. Those cuts were reversed. The government said, “We listened. We are responding, and putting them back in place because we think we have taken a step too far. The cuts have gone too far.” Here is a chance to listen again. Here is a chance to listen to the best poll the government is ever going to get—the actual voting population reflecting their position, in this case in the Darling Range by-election. It is a very strong signal. Here is a chance for the Premier to go back and reassess where he puts regional Western Australia in the context of government decision-making and make some changes to put those issues back on the agenda because right now, he is heading to take those issues off the agenda. There is no regional development agenda here; it is spasmodic at best. When there are cuts to areas such as the men's shed program that helps mental health in regional communities, the regional men's health services and age-appropriate housing in regional Western Australia in response to the ageing population, these are fundamentals for communities that are isolated, some distance from bigger centres, and they are feeling these cuts. Those people in regional Western Australia have this government on the nose. There is a very clear message out

of the decision on Saturday with a 9.1 per cent swing against the government. If the members in those 13 seats behind us are not watching that closely, then they are missing the mark and they will not be members of Parliament going forward.

MR P.J. RUNDLE (Roe) [5.28 pm]: I would like to speak briefly in support of the matter of public interest. I thought it was very telling on Friday and Saturday—I went to Roleystone on Friday and to Bedfordale on Saturday. I must admit that when we ran our campaign, I had a think about it and I thought —

The ACTING SPEAKER (Ms M.M. Quirk): Member, can I just remind members that this is about cuts to regional services? It is not some exercise in sophistry, so can you speak to the motion, please?

Point of Order

Mr D.T. REDMAN: The motion refers to “in light of the result of the Darling Range by-election” so it does make reference to the by-election.

The ACTING SPEAKER (Ms M.M. Quirk): Member for Roe.

Debate Resumed

Mr P.J. RUNDLE: Thanks, Madam Acting Speaker. I was at a couple of polling booths for the Darling Range by-election. When people came up to me and asked, “What’s this campaign all about?” it did not take me long to explain it was about regional cuts, the way that regional people are feeling, and the way that regional people have seen a result since the March 2017 election with cuts made in just about every sector. We have spoken many times about Moora Residential College, but that money was in the budget and the previous Minister for Regional Development had announced it, so there was an expectation that it was going to happen. I congratulate the people of Moora who came down and helped with the campaign because they are so passionate about it. Every time I spoke to someone, whether in Roleystone on the Friday or in Bedfordale on the Saturday, and explained what the campaign was about, they were in total agreement. I will cite some of the comparative ALP votes from the more regional polling booths. At the Serpentine–Jarrahdale Community Resource Centre, the ALP in 2017 polled 669 votes; in 2018, 241. That is a 64 per cent swing. In Karragullen, it went from 141 down to 54—a 62 per cent swing. At Mundijong Primary School, it went from 468 down to 232—a 51 per cent swing. Finally, at Oakford Community Hall it went from 327 votes down to 173; that is 48 per cent.

I think the government and the Premier really need to take this on board. I know it is hard to back down. The Schools of the Air was a real knee-jerk reaction: “Minister for Education and Training, can you find me \$64 million to fund the school over here near Subiaco oval?” In the government went, slash and burn. Unfortunately, there was no thought given. I understand that it was very difficult when the Premier had to back down on the Schools of the Air, the level 3 and the gifted and talented program, but we are seeing the effect of that. Those polling booths demonstrate it. The Labor Party purports to be the regional party, but we have the most regional members and I would be worried if I was the member for Murray–Wellington or the member for Pilbara. They need to have more impact.

We have a minute to cabinet here, with the Premier, the Treasurer, the Minister for Transport and the Minister for Health making decisions for the other members of the Labor Party. I think we need a more inclusive approach. I would love to see more input from the Labor backbenchers—those regional members who, going on the current scenario, are going to be decimated at the next election. I actually really worry for them; I know they are trying to do the right thing for their electorates. I worry for the member for Pilbara; I know he is trying to do the right thing for his electorate, but going on a 9.1 per cent swing —

Several members interjected.

The ACTING SPEAKER (Ms M.M. Quirk): Members!

Mr P.J. RUNDLE: With a 9.1 per cent swing, unfortunately the member for Pilbara will no longer be here with us in 2021. That will be disappointing for him. I think our discussion last week about the Minister for Agriculture and Food; Regional Development was very appropriate. She is way off track on the issue of wild dogs; the funding is there. We need to stop undermining the agricultural sector, and certainly I am concerned about regional WA.

MR M. McGOWAN (Rockingham — Premier) [5.34 pm]: The government will not be supporting this motion. I find it interesting that the Nationals WA has moved this motion. I saw Nationals MPs handing out material on electorates at polling booths over the course of the weekend, and I also note that the Liberal Party has said that it is going to get rid of royalties for regions, so the Nationals’ entire argument is flawed. It claims —

Ms M.J. Davies interjected.

Mr M. McGOWAN: Sorry, I did not interject on you. Madam Acting Speaker, I did not interject on members of the National Party when they were speaking.

The Nationals’ entire argument is somehow based upon regional Western Australia being ripped off, yet it is supporting the Liberal Party, which has made it plain that it plans to abolish royalties for regions. There is a great

deal of hypocrisy in that. The Leader of the Opposition has come out and said that he wants to see royalties for regions removed. We have all the transcripts where he has said it—“Its time is up; its time is over”; words to that effect—yet the National Party goes and supports him. In other words, the National Party, while claiming to be in favour of regional Western Australia, is supporting a party that does not support the principal program that the Nationals claim ownership of. The entire argument it is running is based upon a hypocritical foundation.

I want to make a couple of points about the various issues raised by the National Party. First, the government is increasing its spend on education across Western Australia, despite our difficult financial situation. A whole range of programs and projects are being funded across regional Western Australia, and in the metropolitan area, that were not there before. Whether it is for education, additional education assistants, independent learning coordinators or capital works at regional schools —

The ACTING SPEAKER: Members on my left, there is a bit too much conversation. Please go outside.

Mr M. McGOWAN: Whether it is science blocks in primary school classrooms across regional Western Australia or whether it is the science, technology, engineering and mathematics strategy in schools across regional Western Australia, this government is funding all those programs across our state to make sure that our children are best equipped for the long-term future. Those things need to be acknowledged, because they have not been done before.

Second, when it comes to dealing with issues that might arise, I think of the member for Roe’s electorate and the fact that we have taken on the issue of Cleveland–Cliffs Inc and the loss of 400 jobs. We have taken up that issue and we have been negotiating furiously. I have been involved, the Treasurer has been involved and various other ministers have been involved to keep that mine operational and to keep those regional jobs in place. What do we hear from the National Party? Not a word about that. All it does is campaign negatively, and when we do important things for its constituencies, there is not a word of gratitude, not a word of thanks, and not a moment’s consideration about the fact that we have taken up that important issue that will result in train drivers, waterside workers, you name it, in those communities across the Roe electorate continuing to have employment for years to come. We have taken up that issue. Whenever these sorts of things happened when the Liberals and Nationals were in office, they did not do anything to resolve them. We go out there and take action, and they put it in their pocket and forget about it.

I turn to other commitments across regional Western Australia, and there are too many to mention. I talked about the member for Geraldton’s hospital today—an important project needed in Geraldton. We are continuing to fund the school and aged-care facilities in Carnarvon. There is a whole range —

Mr V.A. Catania interjected.

The ACTING SPEAKER: Member for North West Central!

Mr M. McGOWAN: I did not interject on members of the National Party; I would appreciate it if they kept themselves quiet.

We fund all these initiatives across Western Australia, despite the very difficult financial situation the previous government left us with. What I note about the National Party and the Liberal Party is that they do not care about their record; they do not care about what they left the state; they do not care about having left the state’s finances in an absolutely unprecedented, appalling and diabolical situation. They act as though it had nothing to do with them, when it had everything to do with them. In my first briefing from Treasury upon becoming Premier, I discovered that what they left this state was diabolical. They waltz around the place with absolutely no responsibility and no care for what they left the state government and the taxpayers of Western Australia with. For that, they deserve absolutely no credit; they took no responsibility for that.

This government obviously has to do some difficult things, whether in the metro area, in the regions or wherever else it might be, and some projects that people might like will not get funded. That is the unfortunate reality of the situation the previous government left for the people of Western Australia. This government has been absolutely careful and assiduous in getting more support out of the federal government to meet some of Western Australia’s obligations. For capital works, whether in the city or the country, we have been more successful in getting support out of the federal government than has been the case with any state government in history. We want to ensure that we get some of those capital works around Western Australia and offset the burden on Western Australian taxpayers. We have been more successful in that area than any government in history. I know that the National Party and, it appears, the Liberal Party, campaign against our rail and planning program, Metronet, but financial support for that is principally coming from the federal Liberal–National government. That is where that money is coming from, because we have been successful in negotiating good arrangements for Western Australia and reducing the burden on the people of this state. The opposition seems to object to that. It is wildly angry that the federal government is providing support for Western Australian capital works, because we negotiated those deals and arrangements. It is not just for Metronet —

Mr D.C. Nalder interjected.

Mr M. McGOWAN: I did not interject on you.

It is not just for Metronet; it is also for roads, hospitals, wherever they might be, in both the city and the regions across Western Australia. We have been extraordinarily successful in doing that, and offsetting the burden on Western Australian taxpayers. Not only have we been financially responsible, we have gone out of our way to work cooperatively with the federal government to get our fair share.

Where we have not received our fair share is in the area of remote Indigenous housing. That is where there is a massive problem. Tony Abbott, former Liberal Prime Minister—a national embarrassment in my view, but former Liberal Prime Minister—said he would be the Prime Minister for Aboriginal Australians. What did he do when he was Prime Minister? He pulled out funding for services in remote communities that had been provided by the commonwealth for 50 years. He pulled out the funding for services that the commonwealth said it would assist the states with, particularly Western Australia, the Northern Territory and Queensland, so we had to pick that up. If those services are not there, what happens to those communities? Those communities die, and all those people are scattered to the winds. Where do they go? What do they do? That is what Tony Abbott and the federal Liberal government did, but there was not a word out of the opposition about that. That is a real regional issue, right there. Currently, Malcolm Turnbull, who is a more decent person than Tony Abbott in my view, is allowing his colleague Mr Scullion to end support for housing construction and maintenance for remote Aboriginal communities in Western Australia. There are 165 or so communities that need the support, but the commonwealth is pulling out all its effort. Not a peep do we hear from the Liberals and Nationals in Western Australia about that issue. That is the number one issue in regional Western Australia. Members opposite do not speak about it, and they do not care about it. They never raise it, and they do not seem to have the slightest concern about it. The National Party's technique is simple —

Mr D.T. Redman interjected.

Mr M. McGOWAN: I did not interject on you.

The National Party's technique is simple—turn the country against the city. That is all it is; that is its playbook, and hopefully we get to keep our jobs. That is the National Party's playbook, no matter what the circumstances. This government could spend the entire state budget in the regions, and the Nationals would still be working on trying to turn country against city, because that is what they do. It is a sectarian party without religion. It is not religious; it is just dividing the regions against the city. We are a party of all Western Australians. Everyone deserves decent services and a government that creates jobs and manages the state's finances properly. We stand for everyone in Western Australia, not just one section of the community. The false outrage that the Nationals go on with and their lack of appreciation of what the previous government did condemns them in my view, and the view of many people. Many people are very unhappy with what the opposition did in government.

Sure, the opposition had a victory on the weekend—good for it. I saw its celebratory activities, although I thought they were slightly over the top. It is two and a half years until the next election, and we will get on with the business of governing Western Australia properly, and making sure that we get this state back on track after the wildly unsuccessful and crazy ride that the previous government took this state on. We will make sure that Western Australians understand that they have a responsible, reasonable, sensible and progressive government in place that cares about all our citizens, including our Aboriginal citizens, unlike the opposition. That is how we will conduct ourselves over the coming years up until the next election. I do not think that anything I say or do, or anything any of my colleagues say or do, will stop the opposition in its wildly disruptive, hugely sectarian approach to politics in this state, which seeks to pit regions and country areas against the city, and seeks to elevate any single issue it finds to such an extreme status, like some of those we have seen recently, and tries to claim the moral high ground, based upon feet of clay, which is its own record.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [5.46 pm]: We have just seen why the result in Darling Range was what it was on Saturday—complete denial. There is no doubt that rural issues, affecting particularly education in Moora and elsewhere, had a major impact on the outcome in Darling Range, for a number of reasons. First, we are all Western Australians, and the people of Darling Range are reasonably concerned about the major cuts to Moora Residential College, the Landsdale Farm School, community resource centres and others. They are concerned. It is also a special area, as the member for Roe said. It is a peri-urban electorate; it includes both urban and rural areas. The electors know; they are partly urban, and some of the CRCs are in that electorate. They are sympathetic. They voted overwhelmingly for the McGowan opposition 15 months ago. In that campaign, the opposition, now the government, made it quite clear that it would not make cuts to frontline services. It claimed over and over again that it would redress the cuts made by the former Barnett government. Now people are shocked by cuts to frontline services, particularly in education. They hear the government say that it will retain royalties for regions, and that it is a regional party now.

However, the voters see clear evidence of the government systematically picking on rural areas. They are not huge amounts. The government goes on about Moora Residential College costing \$9 million, but everyone knows that is a furphy, because it is not necessary to spend that much money to fix up the residential college. The amount

saved on the Landsdale farm is \$150 000 or less. I think the government is cutting \$40 000 from each of the CRCs. These cuts are dwarfed by the amount of money the government has spent pork-barrelling on Local Projects, Local Jobs. It is ridiculous. Why is the government cutting the community kindergartens? The people of Darling Range said that this is inequitable. The government is picking on a certain segment of Western Australia, and it is doing it for political purposes, because it does not think that sector will affect the government in votes into the future. In other words, the government is doing it for its own political advantage. More importantly, the government went to the electorate 15 months ago and promised to redress the cuts it claimed had been made by the previous government. What happened, 15 months later? We see systematic cuts, particularly in regional and rural education. The government is in denial. The books show a \$285 million reduction in education expenditure between 2017–18 and 2018–19. That is a fact. The government is cutting education expenditure.

When we debate this with the government, the first thing it does is go back to the past and say it was done by the previous government. It has been in government for 15 months, and it refuses to govern. You cannot drive a car by looking in the rear-vision mirror, but that is how Labor is trying to govern. It is all about the past; it is all about the previous government. The government has been in power for 15 months. It won government in a landslide, and it is breaking promise after promise. I thank the people from Moora and Landsdale farm who went out and doorknocked with me and others for days on end in Darling Range. When we knocked on the door and discussed the issues of Moora Residential College, the CRCs, Landsdale farm and school camps, the people of Darling Range got it—they know the government is making cuts. It is inequitable. The government promised not to do this, and it has done it. It is not the previous government; it is the present government's decisions. The government has decided to do it, and refuses to be accountable for it.

The ACTING SPEAKER (Ms M.M. Quirk): Members, the question is that the motion be agreed to. All those in favour say aye. All those to the contrary say no.

Several members interjected.

Mr F.M. Logan: It is actually my call.

The ACTING SPEAKER: You may have sought the call, but I did not hear you. I have already put the question.

Mr F.M. Logan: We have only had one speaker.

The ACTING SPEAKER: All right, member for Cockburn.

MR F.M. LOGAN (Cockburn — Minister for Emergency Services) [5.51 pm]: Thank you, Madam Acting Speaker. I was waiting for you, Ben—sorry.

Point of Order

Mr D.T. REDMAN: You made a judgement and you actually put the question.

The ACTING SPEAKER (Ms M.M. Quirk): I had not actually called the vote, member. I am advised that in those circumstances my peripheral vision should have been better and I should have seen that the minister was getting to his feet even though he did not orally seek the call.

Debate Resumed

Mr F.M. LOGAN: My apologies to you, Madam Acting Speaker, and to the house. I was waiting for my colleague the Treasurer to get to his feet because I thought he was next. As it is, I am here now.

Madam Acting Speaker, thank you very much indeed for the opportunity to talk on this issue. When it comes to government actions in funding regional and rural issues, we cannot get a better example than the one that I announced and have spoken about twice in this house—that is, the rural fire division. Speaker after speaker on their feet in this house this afternoon has indicated that we are pulling funding out of regional WA, but they have forgotten to draw attention to the biggest investment in rural and regional emergency and fire safety—ever.

Mr R.S. Love interjected.

The ACTING SPEAKER: Member for Moore, you have had a go.

Mr F.M. LOGAN: As the Premier just said, I never interjected on any members opposite during their contributions and I would prefer that they do not interject on me.

National Party members in particular made no reference whatsoever to the fact that the government is putting in the largest ever contribution to keeping rural and regional communities safe in the history of Western Australia. They made no comment whatsoever about it. Eighty million dollars of emergency services levy money will be poured into rural and regional WA. Where will that money be raised? Where will every single cent of that money be raised? It will be raised in metropolitan Perth. Metropolitan Perth has had an increase of approximately \$22 per household or 51c a week, and that money is going into rural and regional WA. An extra \$21 or \$22 per household on average across category 1, which is basically metropolitan houses, will be added to the emergency services levy specifically for the rural and regional fire division. That money will purely be going into rural and regional WA—every single cent of it. Members opposite made no mention whatsoever about that.

I will give members two good examples of where that money is being spent. One is in the member for Roe's electorate down in Bremer Bay, and the other one is in Kalbarri, which is in the member for Moore's electorate. Funding drawn down from emergency services levies has been used to create firebreaks completely around those two small coastal towns, which are surrounded by national parks. As members in this house know, when coastal heath goes up in a fire, the fire becomes huge and catastrophic and has the ability to wipe out towns such as Bremer Bay and Kalbarri in a short period of time. Those communities through their local shires have protected themselves by putting significant firebreaks around their towns to defend themselves. Where did the money come from? It came from metropolitan Perth. I think that is a good investment. I do not think anybody in Perth would object to paying an extra 51c a week to ensure that towns such as Bremer Bay and Kalbarri are not wiped off the face of the earth by fire. I am sure that the residents of metropolitan Perth would not have a problem with that. Was there any mention of that by the National Party? No, there was nothing—nothing whatsoever.

I turn to the government's funding for volunteer marine rescue units around Western Australia of \$19.4 million over four years. The previous government, which included the Nationals WA, did nothing for these people in eight years. It completely forgot them. Where are these units? They are in Albany, Augusta, Bremer Bay, Broome, Bunbury, Carnarvon, Coral Bay, Denmark, Derby, Wyndham, Esperance, Exmouth, West Busselton, Geraldton, Hopetoun, Jurien Bay, Kalbarri, Leeman, Margaret River, Dunsborough, Onslow, Peaceful Bay, Port Denison, Port Hedland, Wickham, Denham, Walpole, Nickol and Northcliffe. Do National Party members recognise where some of those places are and whose seats they are in? They are in National Party seats. What did the former government do for volunteer marine rescue units over the last eight years—the people with whom members opposite have their photograph taken for their local paper? What did National Party members do to assist them when their government had more money than it knew what to do with? What did they do to assist them to get funding for their equipment? They did nothing.

Mr R.S. Love interjected.

The ACTING SPEAKER: Member for Moore!

Mr F.M. LOGAN: They did absolutely nothing.

Mr R.S. Love interjected.

The ACTING SPEAKER: Member for Moore, the minister said he would not invite interjections generally and specifically from you.

Mr F.M. LOGAN: National Party members—I have said this before—remind me of modern day Vikings. Their whole purpose in life is to come into government and rape and pillage Treasury. The whole purpose of their existence is to get into government and get as much money as they possibly can to do whatever they want, for not the whole of rural and regional WA, but rather only their own seats. One would have thought that in acting like Vikings, they would deliver for their own constituents, but they do not. Look at what they did in Karratha and Port Hedland with the \$350 million that was thrown up the wall on empty apartments. What do the people want, the little people, those people who put their lives at risk going out to sea to rescue people? Do they ever get a chop when the National Party is in government? Do they ever get funded when the National Party is in government? No, they do not, member for Moore! That is the whole point. The National Party did nothing for them in its seats, and plenty of the ones that I just read out are in his seat.

Mr R.S. Love interjected.

The ACTING SPEAKER: Member for Moore, I call you for the third time.

Mr F.M. LOGAN: Just like the National Party did nothing for the residents of Moora or the people who attend Moora Residential College. It did nothing for them, but it has plenty to say in this house now that it is in opposition. It did nothing for them when it was in government and when the government had more money than it knew what to do with.

I will read out the names of places where I have been recently for the country members in the National Party. They might recognise some of the places. Some of them probably have not been to these places for a long time. Just recently, because of the rural fire division, I have visited Bunbury, Capel, Busselton, Witchcliffe, Augusta, Manjimup, Bridgetown, Collie, Kojonup, Katanning, Woodanilling, Wagin, Narrogin, Brookton, Beverley, Northam, Toodyay, Darin, Dalwallinu, Moora, Dandaragan and Gingin to say a few, and they are all through the member for Roe's seat, as he knows. Do members know what? For all the fluff that we have just heard from the National Party about how people are so upset with this government and how we are so on the nose, I did not hear that in any of the places that I have just been to. I did not hear that at all.

A member interjected.

The ACTING SPEAKER: Member for Vasse, you are out of your chair.

Mr F.M. LOGAN: In every place, I spoke to representatives from numerous councils who attended those meetings.

Sitting suspended from 6.00 to 7.00 pm

Mr F.M. LOGAN: Before the dinner break, I ran through a significant list of country towns that I have been to very recently throughout the whole of the wheatbelt, great southern and south west. I have also been through the midwest, Pilbara and Kimberley.

Mr D.A. Templeman: And the Peel region.

Mr F.M. LOGAN: And the Peel. Unlike the statements we have heard in this house from the Nationals, in particular, about the so-called anger to the McGowan government out there in those country towns, I did not hear that at all. I did not feel it and I did not hear it. Members, they were very, very pleased to see us—unlike the members opposite. I do not know what members opposite did in eight years, but they certainly did not look after the little people in their own electorates. They did not look after the little people in their own electorates, particularly the volunteers.

These arguments we hear over and again from the Nationals about this doom, glumness and anger to the changes the Labor government is making in country Western Australia are not borne out by fact. When we go and speak to residents, to volunteers, who are the heart of country towns, as members opposite know, and to local representatives in the shires, that anger is not there. The Nationals' statements in this house about that so-called anger—it is just not there. They understand the situation we inherited as a government and that the previous Liberal–National government had wrecked the finances. They clearly understand that and they understand that despite the fact that the previous government wrecked the state's finances, we have still come to town and delivered \$80 million to them to help them to keep their community safe. They very much appreciate it.

MR B.S. WYATT (Victoria Park — Treasurer) [7.03 pm]: I rise to make some concluding remarks on this matter of public interest motion, which the government will be opposing vigorously.

As the Premier said, the Nationals rely on a divided Western Australia. That is its *modus operandi*. If the Nationals cannot divide WA between us and them, in that sectarian nature that the Premier talked about, its reason for being is no longer there. That is why the hollow complaints about Moora Residential College ring so false to so many ears. Although while at the fag end of the government they ploughed \$9 million into the budget to try to do it, the reality is that they did not do it in eight and a half years. As the Langouant report found, they were shoving money into places where nobody wanted money over those eight and a half years. Before they got around to the \$9 million for Moora, they had spent over \$5 billion. As the Langouant report highlights on page 133 —

The Cabinet appeared to be less prepared than it might have been in establishing arrangements for this program.

The reference is to royalties for regions. The report continues —

This would appear to be due to the Government having little perception of how the program would operate as there was no comprehensive and coordinated strategic plan established for the program until 2016.

Although the Leader of the Opposition complains that the government likes to talk about his time as Treasurer and the performance of the previous government, the reality is that the performance of the previous government is going to infect this government's entire time in power, because you cannot do to the finances what the former government did and not dictate what a government can do. I sat on the opposition side of this chamber and talked about the Liberal government under Colin Barnett, Brendon Grylls and Mr Redman binding the hands of future governments. They had the arrogance to take upon themselves all the fiscal capacity of governments into the future. That is what they did! Yes, we have to make decisions that we do not like to make, but I will not cop a critique from an opposition that says it is obsessed with the spend but then does not worry about how to pay for that spend, from National and Liberal Parties that twice voted down a fair return on gold royalties, or from Liberal and National Parties that voted out of the upper house their own savings measures contained in their last budget. The fiscal vandalism of the opposition knows no bounds. Now, as the Premier said, if the entire budget was spent in regional WA, they would still be in here complaining about their lot and that regional WA is somehow getting duded. Yes, things have changed; as I always said they would. I always said that fees and charges would increase, as did the Premier, and they have. They have increased below the trajectory set by the former government in its final budget, but they have increased.

The Nationals talk about regional WA. A few members before me have spoken about some of the things that this government is putting into regional WA, of which there are many and they are well outside royalties for regions. I encourage everybody who wants to read a budget to look at the entire spend in regional WA. One of the first things that we had to do was fund *AvonLink*. The money for *AvonLink* ran out on 30 June 2017. There was not one dot there. The National Party was going to wipe out *AvonLink*; it was gone. We funded *AvonLink*. The only reason people are catching that train is because of the Labor Party. For the member for Geraldton, there is \$70 million for Geraldton Regional Hospital, and all we get from him is complaints. That \$70 million is a very large spend. The former government took out education assistants in schools at a rapid rate; we have put them back in, including in regional WA. There are regional science labs in schools. In particular, I was always surprised from the other side

of this chamber to watch the National Party component of government completely cut the Department of Agriculture and Food. They absolutely went through it like a dose of salts; they slashed and burned that department. The Minister for Agriculture and Food; Regional Development is now trying to backfill and create a department out of something that the National Party, when in government, whilst it had the agriculture minister, sliced and diced. We are now trying to fix that! We put \$20 million into grains research. Do I hear a thank you? Not one.

Ms M.J. Davies interjected.

Mr B.S. WYATT: I am sorry; I am not taking interjections.

Mr R.S. Love interjected.

Mr B.S. WYATT: We have a new standard now and I am not taking interjections. I did not interject on anyone on that side of the chamber. The member can sit and listen.

We have put \$20 million into grains research. What do I hear from the Nationals? Complaint, whinge, gripe and “It’s not fair.” Member for Roe, we have spent a significant amount of money to ensure those Cleveland–Cliffs jobs at Esperance port are not lost. Airfares were complained about by the National Party for eight and a half years; they were delivered under the Labor Party, and so was the rural fire division. Madam Deputy Speaker, this government has done more for regional WA in the last 15 months than the former government did blowing a huge amount—multibillions of dollars—through royalties for regions. We are proud of that record, we will defend that record and I will not cop hypocrisy from the Nationals. Its entire reason for being is dividing regional Western Australia versus metropolitan Western Australia. We know and can do much better than that.

Division

Question put and a division taken, the Deputy Chair (Ms L.L. Baker) casting her vote with the noes, with the following result —

Ayes (14)

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

Noes (32)

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

Pair

Mr V.A. Catania

Mr J.R. Quigley

Question thus negatived.

HERITAGE BILL 2017

Consideration in Detail

Resumed from 10 May.

Debate was adjourned after clause 14 had been agreed to.

Clauses 15 to 17 put and passed.

Clause 18: Powers of Council —

Mr A. KRSTICEVIC: I thank the minister for bringing this legislation back on again this evening. I am very keen and eager to see this legislation go to the other place.

Mr D.A. Templeman: Particularly before 10 o’clock.

Mr A. KRSTICEVIC: Definitely before 10 o’clock. It is obviously well and truly overdue. While I am on my feet, I officially farewell Dr Harry Phillips and Professor David Black who are no doubt heritage in this place for their wonderful work in Parliament.

Clause 18 is one that the minister, when he was shadow Minister for Local Government, was very concerned about.

Mr D.A. Templeman: Things do change, time does heal.

Mr A. KRSTICEVIC: He raised some very valid points and I know he was looking forward to the then minister going through the consideration in detail stage so that he could get some clarity. I want to take the minister very quickly through the clause. It is on the powers of the Heritage Council of Western Australia. I read with interest some of the comments that the minister made in his contribution to the second reading debate on the 2016 bill when he was the shadow minister.

Mr D.A. Templeman: It was a good speech.

Mr A. KRSTICEVIC: And I am happy to quote something that he said in there. It still holds relevant today. The minister read from a submission by the National Trust of Australia. It states —

... the proposed legislation expands significantly the powers of the Heritage Council, which could create potential conflicts with its core role as a regulatory and advisory body. An example of this is where the Bill proposes the Heritage Council act as manager and developer of heritage places (Section 14(2)(a),(b),(c)) as well as provide 'consultancy, management, advisory or other services for profit' (Section 14(2)(f)). The perceived conflict is that the Bill seemingly allows the Heritage Council to act as a regulator, as well as a manager, developer and consultant.

The combination of these roles represents a potential conflict of interest which is not replicated in any other state or territory Heritage Council in Australia.

In this new bill, that comes in under clause 18(2)(a),(b),(c) and (e). This new bill, as introduced by the minister, does not resolve this conflict. As a matter of fact, it maintains it. Does the minister think it is appropriate for the council to be both the regulator and also look after the management of this role?

Mr D.A. TEMPLEMAN: How time changes people. I certainly accept that during the second reading debate of the previous government's bill I raised some issues including those concerns of the National Trust. It is important to highlight a couple of aspects why I am very supportive of this clause and how it is more a question of intent rather than perception. I have discussed this concern with the National Trust, met with it, and it has raised the issues that it still believes exist. But at the end of the day, the power of the council to own, conserve and redevelop property—one example of course is the warders cottages in the City of Fremantle—while at the same time fulfilling its advisory role to decision-makers, would also allow that process to be carried out in a transparent way. I think that is important; there is an importance for transparency. The regulatory role concern was raised. I want to make it very clear that the Heritage Council has no regulatory role in the formal sense; it essentially does not approve anything but it advises approving authorities on the heritage impacts of proposals affecting registered places.

The other aspect I think is important is that the current act also empowers the Heritage Council to provide technical assistance to owners regarding conservation and management of heritage places. All that is essentially new in this bill in that respect is that the Heritage Council will be able to recover the cost of providing such services, which it cannot do at present. I think that makes sense; I think that is a sensible component. I think, from memory, we also consulted the Public Sector Commission about some of these matters. I am advised that that is correct. The Public Sector Commission recognises that a government agency holding approval power over land owned by an agency such as the Metropolitan Redevelopment Authority, for example, can give rise to an appearance of a conflict of interest; however, the Public Sector Commission provides detailed guidance on how to manage those situations. The legislation is written in a way that allows and provides for, when necessary and appropriate, expanded powers of the Heritage Council. I very much respect the National Trust's role in heritage, but I do not think it is a conflict of interest. It is a perceived conflict of interest, not a real one. In my discussions with the National Trust—we had a very full discussion over a number of meetings—it had a differing view, and we respectfully accept that differing view. I do not see this as an element that undermines the intent of the new Heritage Act as it is proposed.

Mr A. KRSTICEVIC: Just on that point, can the minister comment on why other states or territories do not have this ability in their acts, as far as I am aware? How are those conflicts avoided? More importantly, regarding the minister's discussions with the National Trust, if there are mechanisms currently in the new legislation, I would be interested to know why the National Trust has not been able to come on board to agree with the minister. What is it specifically concerned about? Why does it see that there is an issue here, even after going through those discussions? Is there a need to do anything to make sure that those issues do not eventuate and the National Trust's concerns do not come to fruition? I would be interested to know the detail of those discussions—why the minister has not been able to convince the National Trust and why its view is different to his when it has such an important role to play in heritage in Australia.

Mr D.A. TEMPLEMAN: Regarding other states, Victoria, through its Heritage Act 1995, empowers that state's Heritage Council to own, manage, lease and sell property, therefore conferring on that entity the implied rights of property ownership. It does exist in other states. Victoria is seen as one of the states that has demonstrated some leadership in the acknowledgement of the importance of heritage. From time to time there are entities that do not

agree; that is the reality. I think the National Trust just has a philosophical view that it does not believe the Heritage Council should have the capacity implied in this clause, and indeed in this bill, but I beg to differ. I do not believe that, and I explained this to the National Trust at a full board meeting held earlier this year. The position is that we need a new Heritage Bill and it is important that it is passed by Parliament. I said I respected the National Trust's point of view, but there is an aspect in this bill that is imposed when there is any perceived conflict of interest that requires the guidelines to be reviewed by the Public Sector Commissioner. There is in fact, if you like, a third party or an umpire that has the capacity to review any perceived conflict of interest. I think there is a safeguard there. I respect the Public Sector Commissioner's role in that, and I think it would delay any concern that the National Trust would have. It is a transparent process and the Public Sector Commissioner is independent. The guidelines are reviewed by that entity any time there is a perceived or potential conflict of interest.

Clause put and passed.

Clauses 19 to 36 put and passed.

New Division 1A

Mr V.A. CATANIA: I move —

Page 23, after line 24 — To insert —

Division 1A — Three Jetties

36A. Three Jetties

The Carnarvon One Mile Jetty, Esperance Tanker Jetty and Busselton Jetty (“the Three Jetties”) shall be deemed, for the purposes of this Act —

- (a) to be places of cultural heritage significance that make an important contribution to understanding the heritage of Western Australia and are to be protected and preserved; and
- (b) to be the appropriate recipients of funding granted annually to ensure that they are maintained.

36B. Protecting and Preserving Three Jetties

The Minister and the Council, in protecting and preserving the Three Jetties, may consider the use of modern alternative structural materials for the internal structure of pilings to ensure the long-term sustainability of each of the Three Jetties, but the outwards wooden appearance of each of the Three Jetties must be maintained.

36C. Access to Three Jetties

The Minister and the Council must ensure that:

- (a) the public has access to some areas of each of the Three Jetties free of charge, unless maintenance is being undertaken which would create an unsafe environment for public use or significant damage from natural events has occurred that has caused the entire structure or parts to be closed; and
- (b) each of the Three Jetties are made available to industries such as tourism, commerce and small business on a fair and equitable basis.

As the minister is well aware, the Carnarvon One Mile Jetty and the Esperance tanker jetty, which the member for Roe will speak about, are absolutely crucial to our heritage and tourism, particularly in the Gascoyne and Esperance regions. We believe that this new division goes to the intent of the legislation—that is, to protect the heritage of our state. The One Mile Jetty is really owned by the Department of Transport, so it is a government-owned piece of infrastructure vested in the heritage group in Carnarvon. If this legislation is imposed, the government should really repair and maintain the Carnarvon One Mile Jetty. As the minister is aware, its closure is affecting tourism and the operations of the heritage group due to not being able to get people on the One Mile Jetty. People pay a fee to go on the One Mile Jetty, which helps the heritage group. I do not know whether the minister is aware, but there is a heritage museum there with a cafe.

Mr D.A. Templeman: I have been there.

Mr V.A. CATANIA: The minister has been there.

The museum was paid for by royalties for regions to enhance the One Mile Jetty. Now that the One Mile Jetty has been closed, it is stopping the ability to enhance the infrastructure that taxpayers paid for in Carnarvon. This insertion to the bill really captures something full of heritage. This impacts economically on the town. I would like to see these new clauses 36A, 36B and 36C pass today, because it is absolutely imperative that we look after our heritage in our state. Western Australia has three iconic one-mile jetties—the Carnarvon One Mile Jetty, the

Busselton jetty in the member for Vasse's electorate, and the Esperance tanker jetty in the member for Roe's electorate. Busselton jetty was upgraded some years ago and quite a bit of money has been spent on the One Mile Jetty in Carnarvon.

Since it has been closed, it has come into disrepair. Things have started to break off it, as is happening in Esperance with the tanker jetty. Bits start to fall off because no-one is using it or fixing what needs to be fixed to maintain the jetty as operational. Will the minister consider these amendments, which are critical to the heritage of regional Western Australia, critical for tourism, and critical for the economies of these towns? They have been suffering from the downturn and a lack of visitors going to these two regional areas. These iconic pieces of infrastructure play a major role in attracting people. It has been good to see Regional Express Airlines strike a deal with the Shire of Carnarvon and the Shire of Shark Bay. I thank it for its goodwill in seeking to reduce airfares to get more people there, but we need infrastructure once people are there so they can see the important heritage that Carnarvon and the Gascoyne have to offer.

Will the minister consider this vital amendment to what I think is a very important piece of legislation? This amendment captures the spirit of it. Will he entertain supporting this amendment, which is also supported by the member for Roe?

Mr P.J. RUNDLE: I will make a brief contribution. As the member for Roe, the Esperance tanker jetty has been the biggest item on my agenda and my electorate's agenda over the last 15 months.

Mr D.A. Templeman: You spook me every time I come back to Parliament! You chase me down the corridors!

Mr P.J. RUNDLE: I apologise for harassing the minister and his director general at different times.

Mr D.A. Templeman: That's all right. That's your job.

Mr P.J. RUNDLE: To be honest, as soon as I went out doorknocking in the 18 months leading up to the state election, the first thing people asked me was whether I could do something to save the Esperance tanker jetty. That really set in my mind how important it was. It was not just the odd house here and there. It was probably somewhere between eight or nine houses out of every 10 houses. That really brought back to me the significance.

As the minister is aware, over 8 000 people signed a petition for the retention of the Esperance tanker jetty. The shire council and others may argue that not everyone who signed the petition was a member of the Esperance community, but the jetty is also of significance to people of the goldfields as well. Since the gate was put across it in November 2015 we have noticed a lot less interaction from people of the goldfields coming down for holidays and to catch up with friends in the Esperance community. I put that down to the number one attraction in the Esperance region—the tanker jetty—being closed.

I would love the minister's support for our amendment because it fits perfectly into the legislation. The tanker jetty is heritage listed and certainly fits that bill. It is also an example of demolition by neglect. Members are all no doubt well aware that another 10-metre to 20-metre section caved in last week due to lack of maintenance. I am really disappointed that despite having a licence to maintain and operate the jetty, and \$1.8 million in the reserve, the Esperance shire made a conscious decision to stop maintaining the jetty. This is where this legislation can come in. Something like the Heritage Council can use the minister's powers to ensure that one of our most important heritage structures is maintained and, for that matter, refurbished.

As I said, the jetty was closed in November 2015. It is still closed and, quite frankly, nearly three years down the track, we are no closer to obtaining funding. Some architectural plans are due to potentially come into play somewhere toward the end of this year. A heritage impact statement was prepared by Heritage Intelligence WA in 2016, which identified the significance of the Esperance tanker jetty. It states that the jetty is —

... a rare and good representative example of a substantially intact timber jetty on the coast of Western Australia ... it has aesthetic significance due to its considerable size, scale and construction.

It continues with more information. I reiterate what the member for North West Central said about the Carnarvon jetty. We all know how Busselton jetty has proved to be such an important tourism icon in the member for Vasse's electorate since its resurrection.

Ms L. METTAM: Not only as the member for Vasse, but also as the shadow Minister for Tourism, I also support this amendment that has been moved by members of the National Party. I acknowledge the important role that structures such as these jetties play in visitation and tourism in this state. Just earlier this week a report was handed down by the Bankwest Curtin Economics Centre that underlined the value of Chinese visitors—our most lucrative market—to Western Australia and, in particular, the value of the Busselton jetty as an iconic place to visit as part of the triangle of travel in Western Australia, as it is called.

Busselton jetty is the most popular paid tourist attraction outside Perth. It is second only to Perth Zoo in visitation and is the longest jetty in the southern hemisphere. Shipping ceased in 1972 and further destruction after deterioration happened in 1978 with cyclone Alby. Significant concern was raised by the community about its future. The jetty is 146 years old and the community got together to raise the need to upgrade the jetty. A former

Labor government was going to upgrade the jetty by selling off the public open space along Busselton beachfront and Churchill Park on the foreshore of Busselton. Thankfully, after a change in government, a significant investment was instead made in the restoration of this valuable piece of infrastructure, which has well and truly paid dividends, given that it is one of the most popular tourist destinations in the state and attracts over 400 000 visitors every year. Busselton jetty is an example. It was heritage listed in November 2013 and it underlines the value of these important pieces of infrastructure, not only to the communities that surround them but also in the contributions that they can make to tourism and visitation, particularly with visitors from Singapore, Malaysia and China, who are the most frequent international visitors to the Busselton structure.

Again, I underline and support the amendment moved by the member for Roe and the member for North West Central regarding the heritage listing of Carnarvon One Mile Jetty and Esperance tanker jetty because we can see in the example of the upgrade and the heritage listing of Busselton jetty that it has more than paid dividends to the local community and at a state level in its contribution as a valued tourism asset.

Mr D.A. Templeman: Member, could you stay on your feet while I ask a question?

Ms L. METTAM: Yes.

Mr D.A. Templeman: What are the figures of visitation to the underwater activity —

Ms L. METTAM: The underwater observatory?

Mr D.A. Templeman: Yes. Are the figures high?

Ms L. METTAM: Yes, they are high, but the underwater observatory is relatively new. We are seeking funding for the underwater observatory at the moment to develop it further. The underwater observatory is significant, but attracts only a small proportion of the total number of visitors in comparison, which is 400 000 people.

Mr D.A. TEMPLEMAN: I thank the three members for their strong advocacy for the amendments that stand in the member for North West Central's name. I will go into a couple of things. I have visited all three of the jetties that the member's amendments seek to include in this bill. In the case of the jetties in Carnarvon and Esperance, I have walked on both of them previously. I recognise the special significance that they play in the communities of Esperance and Carnarvon. In the case of the jetty in Busselton, I was down there in January this year. Like the 400 000 visitors the member for Vasse mentioned, my family went on the little train out to the end of the jetty and that was very enjoyable. Again, it is an iconic structure. I will address each of the amendments and explain why I will not be supporting them. It is despite the fact that I understand very much the passion for and strong connection that communities have to these structures.

Members for North West Central, Roe and Vasse, the wording of proposed section 36A essentially seeks to include in the legislation a citation of these three structures. This proposed section is essentially redundant because all three jetties are already on the heritage register and that is an important point. Because they are already on the register, in effect, through that, they are already declared to be, and I will quote from the amendment —

... places of cultural heritage significance that make an important contribution to understanding the heritage of Western Australia and are to be protected and preserved;

That is already enshrined in the Heritage Bill because the structures are on the register. Proposed section 36A is, in that respect, then redundant. Proposed section 36B seeks to protect and preserve the three jetties. That is also redundant because the Heritage Council of Western Australia routinely considers the appropriateness of using alternative materials to repair registered places. That is what the wording of the proposed amendment implies in the words "may consider the use of modern alternative structural materials for the internal structure". That is already implicit in the approach by the Heritage Council now, so proposed section 36B is also redundant. Proposed section 36C regards access to the three jetties. It is effectively beyond the remit of the Heritage Council, this act, and me, as the minister.

Mr V.A. CATANIA: I would like to hear some more from the minister.

Mr D.A. TEMPLEMAN: If we were to look at progressing that aspect of the amendment, it would be more appropriate under the review of the Jetties Act 1926, which is currently taking place by this Parliament in its consideration of the Port Legislation Amendment Bill. That part of the amendment would be more applicable to that bill. Essentially, all three jetties are state property. They are placed under the care, control and management of their respective local governments. Although what is proposed in section 36C is beyond the remit of the Heritage Council and the minister, there is a place where it could be pursued, and that is under the Jetties Act 1926. It would be up to the member, of course, to seek to amend that act when it comes before this place, but it is an option for him to consider.

Ms L. Mettam: Minister, you asked about the underwater observatory earlier. It does contribute and has had a significant boost in numbers to over 260 000 people a year.

Mr D.A. TEMPLEMAN: That is over half the 400 000 people who use the jetty.

Ms L. Mettam: It is quite a lot more than I thought.

Mr D.A. TEMPLEMAN: Yes. I understand the passion of members here and I am not trying to be obstructive, but essentially, proposed section 36A is redundant because the jetties are already on the register. Proposed section 36B seeks to guarantee that the jetties will receive annual funding to provide for their ongoing maintenance; that cannot be enshrined in legislation. That is a funding matter, which does not fit within this legislation. It is certainly laudable as an objective—I understand that—but it is not practice for Parliaments to enshrine funding in legislation. Heritage legislation is not intended to impose use requirements for heritage places. This is more appropriate to be dealt with through legislation that deals with their use; that is, the Jetties Act. I appreciate members' concern and their intent but the first two proposed sections are redundant because the jetties are already protected by the Heritage Bill and the third proposed section is beyond the remit of the Heritage Council and me as the minister.

Mr V.A. CATANIA: I thank the minister for explaining that. I understand the minister has been to the jetties and knows how important they are to the communities. He says that proposed sections 36A and 36B are redundant and that proposed section 36C should be in another piece of legislation. My argument is that proposed sections 36A and 36B are not redundant, given that these pieces of infrastructure, owned by the state and already on the heritage list, are falling to bits. The proposed sections are not redundant, because if they were redundant, that would mean that the tanker jetty in Esperance and the One Mile Jetty in Carnarvon would be operational. The state has been negligent in not being able to maintain such historic and economically vital pieces of infrastructure for the regional communities. If we were in government, royalties for regions would play a major role. The previous government put \$20 million into the Busselton jetty, and we made a commitment of \$8 million to the Esperance tanker jetty, and \$8 million to the Carnarvon One Mile Jetty before the last election.

Mr M. Hughes interjected.

Mr V.A. CATANIA: Hear me out, member, because you obviously do not know a lot, and you will learn, and you are under that nine per cent, so I would be careful.

We commissioned a report in government to find out exactly what was actually needed to repair the One Mile Jetty. The report showed that the train, called the "Teapot", could no longer be used because of structural issues with the jetty. That report was commissioned in November 2016, and was handed down in April or May 2017, after the election. It showed that the One Mile Jetty had to close because of various issues. There is a figure attached to that ranging from \$3 million up to \$30 million or \$40 million to bring the jetty back to its original glory. That is not what the community is asking for. The community and the travelling public are asking for the jetty to be opened. It probably needs about \$4 million to get it working. It is not a lot of money. The government needs to look at the type of infrastructure that are needed. Rather than replacing it with a timber jetty, perhaps we could look at concrete or whatever, so that we do not have the same issues of fire, and it would be longer lasting. This has had an effect on the recreational fishing fraternity. With the fascine being closed and the government not doing anything there to allow boats to enter the yacht club, there is a real need to get this One Mile Jetty open. I say that proposed sections 36A and 36B are not redundant. The minister may be correct about proposed section 36C, but I am asking the minister, as the Minister for Heritage; Local Government; Culture and the Arts; Apart from being a good Soccerroos supporter can he come up with the funds needed to reopen the One Mile Jetty? It is owned by the state. It has important heritage and economic value for the community, as does the Esperance tanker jetty. We cannot let these structures fall away. After the by-election in Darling Range, we could find ourselves back in government in two and a half years. We will put royalties for regions funding into it, and make sure that we put \$20 million into reopening the One Mile Jetty, and \$10 million to rebuild the tanker jetty in Esperance. That is how committed we are to this absolutely vital piece of infrastructure. I do not accept the minister's reasoning, and we will divide on this amendment.

Mr D.A. TEMPLEMAN: I thank the member. There are a couple of things. One of the things that I think is important is that the three structures are heritage listed, and therefore protection under the Heritage Act prevails. As the member for North West Central knows, the One Mile Jetty in Carnarvon is under the management of a community organisation of volunteers. I applaud them; when I was up there late last year, I had the opportunity to meet with them, and they are passionate people. The museum and the café are very important interpretive aspects of the role that that jetty played in shipping and transportation of goods and services all those years ago. I acknowledge that. The Esperance tanker jetty is under the management of the shire. As the member for Roe knows, there is an interesting history of the transfer of the licence of that jetty many years ago, in 1990, from the then Department of Transport to the local shire. The Busselton jetty, of course, is currently under the auspices of the City of Busselton.

There can be arguments about who owns the jetties, but at the moment, those are the management arrangements of each jetty. They are essentially still state assets. Funding is a matter ultimately for the agencies that oversee them, such as the local governments and the state—I do not disagree with the member on that—and it is a matter of priorities, as the member knows. Before the March 2017 election there were no commitments from the Labor Party for the jetties. There were commitments from the National Party, but I do not think there was any

commitment from the Liberal Party, from my understanding. I might be corrected in the case of the seat of Roe, but my understanding is that there was no commitment from the Liberal Party to the jetties. There is a federal election coming up, and I am sure that all three members, particularly the members for Roe and North West Central, if this is a major project, would be very strongly lobbying the federal candidates, including the incumbents.

In the case of the Esperance jetty, I can understand the despair—I think that is where the member for Roe is coming from—that the community feels when another section of that jetty falls into the ocean, as it did last week. As the member knows, a big span collapsed. One of the challenges for that jetty was that over the years it has been covered by concrete, which added to the weight and the impact on that structure in the longer term. That is probably in many ways hastening the deterioration of that structure. I can understand that the community, particularly those very passionate about protecting that jetty, would have a sense of despair when they see that happen. As the member knows, there is a long history to this, and the community will blame the council or have a go at the council about its lack of provision of maintenance.

I return to the point that I have already made. I understand the intent of the member's passion. I would do the same if I was living down there. For example, in Mandurah, we have just replaced the 60-plus-year-old traffic bridge. Earlier on, when the decision was made to replace that old traffic bridge, which has been there for over 60 years, I was quite surprised —

Mr P.C. TINLEY: I would like to hear more from the minister.

Mr D.A. TEMPLEMAN: I am talking about Mandurah now, which I love!

The old traffic bridge was assessed for its heritage values. Interestingly enough, even in its submission the local historical society acknowledged that although the bridge had significance because of its age and period and had very important cultural heritage values, essentially it did not want it saved. I was surprised that there was not a huge community backlash. I was sad to see —

Mr D.C. Nalder: So was I.

Mr D.A. TEMPLEMAN: The member was the minister at the time. I was expecting a groundswell of wanting to save it, but the reality was there was not.

Mr W.R. Marmion: Do they like the new bridge?

Mr D.A. TEMPLEMAN: They do. The new bridge is magnificent. I remember going to the council and saying that I would buy it building a new bridge, but it had to have a wow factor. There had to be something different about it. We had to convince people that they were getting something better, even though the old traffic bridge had significant cultural and heritage values. Now when people go to Mandurah—we invite everyone to come down as much as they can—they can see the new structure in place with interpretations of the old structure. Some of the old pylons have been left on the western side and a new fishing element allows people to continue to fish, but we have a new structure. The old traffic bridge in Mandurah was very much replaced by an interpretative element. That is what the council in the member for Roe's jurisdiction is pursuing, as he knows, with the commissioning of HHH Architects, I think, which is doing the scoping. I understand that there is a strong view from the jetty group and others that they want like for like and to utilise what is there and rebuild et cetera, whereas the council, of course, is likely to come up with a proposal that has more of an interpretative element. I understand that essentially the conservation order remains in place and that until a proposal captures the heritage aspects and elements, it will stay in place.

Mr P.J. RUNDLE: I certainly take on board those comments, minister. I am very glad he brought up the Mandurah traffic bridge because it was another good royalties for regions project, if I recall.

Mr D.A. Templeman: I think it was a component; it was Main Roads, royalties for regions and the City of Mandurah.

Mr P.J. RUNDLE: That is right. Further to what the member for North West Central —

Mr D.A. Templeman: It looks brilliant when it is lit up, by the way.

Mr P.J. RUNDLE: Yes, indeed.

Mr D.A. Templeman: And whatever happens with the ultimate structure in Esperance, lighting can be quite spectacular. If you come down to Mandurah now, you will see that the bridge is lit up in different colours every night and is quite remarkable.

Mr P.J. RUNDLE: I will come down and look.

Mr D.A. Templeman: I will walk you along it.

Mr P.J. RUNDLE: I look forward to the minister hosting me there.

The ACTING SPEAKER: Member for Roe, I think if you could just continue on, thanks.

Mr P.J. RUNDLE: The minister said that proposed section 36B is already entrenched, if you like, in legislation. The amendment refers to potentially using modern alternative structural materials for the internal structure but retaining the outward appearance of the wooden jetty. I seek clarity on that point. The other point is that it seems bizarre that we have only three wooden jetties in Western Australia while South Australia has somehow been able to maintain 103 wooden jetties. That is a serious indictment on all previous governments, to be honest. It is quite disappointing, which is why the National Party has moved this amendment. Busselton jetty has been repaired, but we have an opportunity here to retain the other two wooden jetties. I seek clarity from the minister about proposed section 36B and retaining the outward appearance of the wooden jetty but using modern internal materials—a combination of both.

Mr D.A. TEMPLEMAN: I thank the member for the question. As the member would be aware, the Burra Charter principles apply in the approach by this government and generally across Australia. Implicit in that is the issue of materials and the appropriate use of materials. I am reassuring the member that what the National Party is attempting to do with proposed section 36B is already a routinely considered process that the Heritage Council undertakes when it is looking at the appropriateness of using alternative material to repair, rebuild or reinforce existing heritage structures. A really good example is the Busselton jetty, which essentially now comprises a significant amount of new material; however, the integrity of the cultural and heritage values of that structure have been maintained and, in that context, Busselton jetty is a good example of that. Cultural heritage values or places can be preserved in new structures through sensitive design, materials and interpretation. The intention always is to maintain the cultural heritage values of a place through the use of appropriate material. This can be expensive in some respects. I remember the City of Albany mayor highlighting, for example, some recent significant heritage works that the city carried out on some of its iconic heritage buildings in Albany. I think the roof of one of the buildings was returned to slate, which is expensive. Not only can the process be expensive but we also need to make sure that the integrity of the building is maintained and that it is true to its cultural heritage values. As the member may be aware, even in the case of the tanker jetty in Esperance, if material falls into the ocean, as it has, it is retrieved where appropriate, applicable and possible and stored for future use so that it can be used in a future structure. In the case of the old Mandurah traffic bridge, a lot of the wood used there is going to be reused in interpretative ways by the community. Some of it will be used in and around the precinct and some of it will be used by our artisans and craftspeople to ensure that the usable structures, such as the timber, can be repurposed while still reflecting where it came from. I understand where the member is coming from on this, but I assure him that under the Burra Charter and using the approach that we have, the material aspect highlighted in his proposed division is already captured in the work of the Heritage Council of Western Australia.

Division

New division put and a division taken, the Acting Speaker (Mr R.S. Love) casting his vote with the ayes, with the following result —

Ayes (16)

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

Noes (30)

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

Pairs

Mrs L.M. Harvey	Mr J.R. Quigley
Mr J.E. McGrath	Mr M. McGowan

New division thus negatived.

Clauses 37 to 188 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

MR D.A. TEMPLEMAN (Mandurah — Minister for Heritage) [8.16 pm]: I move —

That the bill be now read a third time.

MR A. KRSTICEVIC (Carine) [8.16 pm]: Once again, I thank the advisers and the minister for bringing the Heritage Bill 2017 back into the Parliament. For those who cannot remember, back in 2016, this bill was sitting before the house, but unfortunately it did not get a chance to progress because of a state election. I know that the minister was impressed by the quality of work that the previous government and the previous minister had done to bring this bill to Parliament in 2016. This was evident when, during the consideration in detail stage, the minister confirmed that the issues he had raised in 2016 were not actually issues in the bill and that he was very supportive of what had been done. The bill goes a long way to modernising heritage and it will allow us to have the best possible legislation to achieve outcomes on maintaining the heritage of this state. From my perspective, the legislation is long overdue. I look forward to this bill moving to the other place, where they will no doubt look at it with great interest, hopefully be as supportive as we have been in this house and give it swift passage through the Parliament. Once again, I thank the minister and the advisers for being so supportive of the previous government's legislation. It is great that we have finally reached this point. It has taken a while—from March 2017 to now—to get this legislation through the Assembly, but there are many different aspects to it that will help to preserve the heritage of this state. I thank everyone for their indulgence.

MR D.A. TEMPLEMAN (Mandurah — Minister for Heritage) [8.18 pm] — in reply: I would like to thank all those members who made a contribution to the debate on the Heritage Bill 2017. This is very significant. This is a momentous time in the history of the Parliament. If this bill passes the upper house in a speedy manner, we will have new legislation for heritage in Western Australia replacing the current act, which dates back to the 1990s. A range of issues were canvassed in members' contributions to the second reading debate and the consideration in detail stage. I appreciate the number of members from both sides of the house who spoke about the importance of heritage in Western Australia; the importance of preserving those culturally significant heritage assets; the importance of ensuring that our communities' living histories in both regional and metropolitan areas are kept alive, which was recognised by a number of members; and the importance of finding new life for many of our heritage assets through adaptive reuse, which is seen as an important modern component to ensure the protection of and new life for a heritage asset. Indeed, we see it throughout the world. We only need to look at places in Europe and America where there is a focus on heritage—on enhancing heritage and the cultural heritage values of a place, a neighbourhood, a section.

The SPEAKER: Just before you go on, minister; members on the left, keep the noise down please. Minister, go on.

Mr D.A. TEMPLEMAN: Thank you for your protection.

By protecting those, we can create and derive a significant economic benefit to the broader community in the area of tourism and attraction. It is important to acknowledge that places that do heritage well are active and reinvigorated and indeed attract people of all ages to enjoy those places and spaces. Last Thursday I launched Brookfield Winter Lights, which is around a historic heritage precinct right here in the middle of the city. I note the member for Perth's contribution and his advocacy for the reinvigoration of the City of Perth into a city of villages—I think that is what the member calls it. One of the key focuses is recognising the inherent heritage values of a neighbourhood, and enhancing and reinvigorating those through adaptive re-use to ensure they breathe new life into that neighbourhood. That has worked. I follow when the member for Perth goes on his fact-finding tours to various places; I think Boston is one of his favourites. He posts photos of some very wonderful places.

Mr J.N. Carey: That was personal. That was not for any analysis; just for the record.

Mr D.A. TEMPLEMAN: Okay. That does create and is creating new places, even when we look at the City of Perth. It is why the Historic Heart of Perth is an important project for the east end of the City of Perth. I applaud Mr Fini and those involved in the reinvigoration of the eastern part of the City of Perth through its historic heart proposal. Some wonderful things are happening there. We look at some of the adaptive re-use of individual contributors, such as the efforts in Katanning with the old mill house being converted into a Dôme and boutique hotel.

Ms M.J. Davies: They are about to do the same with the Shamrock.

Mr D.A. TEMPLEMAN: Yes, in my home town. The Shamrock Hotel is where I drank many a beer when I was not under 18; I was of age. Those initiatives will help create historic trails that people will be able to move through, for example, in the wheatbelt and enjoy the experiences of the heritage trail. Regional Western Australia particularly has huge opportunities for cultural heritage tourism. In fact, some of our best heritage assets are in the regions of Western Australia. We need to enhance those and give local governments and other stakeholders an opportunity to do innovative things through adaptive re-use: to turn disused or little-used structures into something that the community can be proud of and can generate an economic benefit to the wider community to entice tourists into town et cetera.

I was very proud to late last year officially heritage-list the west end of Fremantle in the member for Fremantle's electorate. It was the largest single heritage listing of an area in our state's history, covering 200 000 square metres of a very intact heritage precinct in the west end of Fremantle. It has some magnificent heritage buildings and a magnificent local member; an outstanding local member.

Mr J.N. Carey: She should be heritage listed.

Mr D.A. TEMPLEMAN: She could be. I am sure there will be a bust of her on The Esplanade at some stage in the future commemorating great Fremantle arts; I am sure that will happen. It is not a promise but I am sure the founding mothers and fathers, the leaders of that community, will do that.

I am very interested in the process the City of Swan and the Heritage Council are now partaking in with Guildford. I believe firmly that the town site of Guildford is a significant intact heritage precinct. The work of the Heritage Council and the City of Swan is very important if we are to ultimately ensure that the heritage values of that particular town site are recognised. We only need to go into places like York, Toodyay, my home town of Northam, the Kimberley and further out into the wheatbelt areas, down through the great southern and into the Peel region, where I live, to see some magnificent examples of heritage.

I thank all members for their support of this bill and for their contributions. I encourage all members to continue to advocate for local heritage in their area and to also revere, support, encourage and acknowledge those men and women who volunteer passionately, be they members of historical societies, preservation societies or friends of societies. Continue to support and salute those volunteers who are passionate about making sure our heritage is valued. Finally, I acknowledge my advisers, who have been assisting me tonight: Mr Gammie from the Heritage Council, Julian from my office and, of course, Mr Joel Gilman, who was also assisting when we last debated this bill—he is the solicitor for the Heritage Council—for their work and advocacy to the Heritage Council. I acknowledge the National Trust and other stakeholders who have had input into this long process of incubation and consultation that has seen this bill enter this place and now pass the Legislative Assembly.

Question put and passed.

Bill read a third time and transmitted to the Council.

RESIDENTIAL TENANCIES LEGISLATION AMENDMENT (FAMILY VIOLENCE) BILL 2018

Second Reading

Resumed from 15 May.

MR P.A. KATSAMBANIS (Hillarys) [8.29 pm]: I rise as the lead speaker for the opposition on this bill and indicate from the outset that the opposition does not oppose the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018. We are fully supportive of the principles behind the bill. This bill had its genesis, which I will speak about in a minute, during the term of the previous government, and we are at the stage today of legislation being before the house in this critically important area. However, stakeholders have raised some questions with the opposition about the bill and it is important that we examine those questions, get some answers from the responsible minister and put on the record some information that may help in interpreting the legislation as it is implemented.

The legislation deals with circumstances of family violence in a tenancy situation and what happens when a tenancy agreement needs to be either terminated, amended or adjusted as a result of family violence. We know, sadly, that family violence is not new. In one form or another, family violence has been going on since ancient times. I think the thing that has been different probably in the last generation or generation and a half is that as a society we are far more prepared to acknowledge that family violence exists, that we cannot turn our backs or a blind eye to it and that this is a societal problem that needs support, including support for victims of family violence and perhaps legislative change to enable them to achieve a break, if you like, from the horrible domestic situation that they may be placed in. We know that family violence is not restricted to men perpetrating violence on women, but we also know that an overwhelmingly high percentage of family violence cases involve circumstances in which women are the victims—often women who are vulnerable, who may be bringing up children and who value the security that comes with keeping a roof over their own heads. I think they are the principles that underlie the legislation being introduced. As I said, we have no issue with those principles to make it easier for victims of family violence to deal with tenancy situations. Perhaps in making it easier for them to deal with those situations, we also give them a little bit of peace of mind that a circumstance of family or domestic violence will not lead to them and their family—their children—becoming homeless or suffering from housing insecurity.

The genesis of the legislation was in June 2014 with the release of the Law Reform Commission of Western Australia's report entitled "Enhancing Family and Domestic Violence Laws". That report recommended that the previous Department of Commerce should undertake a review of the interaction between the Residential Tenancies Act and family violence orders to consider whether any reforms were necessary to better accommodate the party's circumstances when family violence occurs within a tenancy setting. In October 2016, that department released an

options paper to consult with community stakeholders on the preferred drafting options to amend the act so that victims of family violence were able to achieve better outcomes from the justice system in relation to their tenancy agreements. Twenty submissions from various stakeholders were received, ranging from government departments to advocates for tenants' rights, lessor and property manager groups, advocates for the victims of family violence and individuals who had experienced these sorts of circumstances in the context of family violence and tenancy situations. The department looked at some of the reforms that have taken place in the last decade or so in other states and territories, and it also considered the final report of the 2016 Victorian Royal Commission into Family Violence. After the consultation process, a further range of consultation was undertaken in preparation for drafting the bill, and, again, many of the stakeholders were consulted, including Tenancy WA, the former Department of Child Protection and Family Support's family and domestic violence unit, the Real Estate Institute of Western Australia, the Commissioner for Victims of Crime and the Chief Magistrate. I think all of that consultation was valuable. Some time between the last round of consultation and the introduction of the bill into this place perhaps the process did not work as seamlessly, as some stakeholders have expressed surprise that issues that they did not believe had been canvassed during the consultation process appeared in the legislation tabled in this place. That may well be a misunderstanding, but it is important to clarify that. It is important to listen to the views of key stakeholders in this environment, so that in its implementation this bill maintains strong community goodwill and support and we do not have groups in the community considering that their views have either not been considered or that they are bearing an unfortunate burden to achieve what everyone agrees is an important societal aim and change—that is, a change in behaviour. We would all like to see no family violence—I have said that here before, as have many other people. We would like to get to the stage at which there is no family violence and we do not need this sort of legislation. We are not there yet and I dare say we are probably not going to be there for quite a while, so we need to provide support for victims, including support in tenancy situations.

Some of the issues that have been raised by stakeholders are around some of the technical operations of the bill and the difference between this bill and perhaps some of the changes made in other states. Clause 18 of the bill, which introduces part V, division 2A into the Residential Tenancies Act, has caused some consternation. There is obviously a requirement that if someone has a domestic violence order, a family court injunction, a copy of the prosecution notice, an indictment containing a charge relating to violence against the tenant or a court record of a conviction of that charge, they can clearly apply to have their tenancy either varied to remove the perpetrator's name from the lease or to break a lease without penalty if it is the decision of the victim to break that lease and move elsewhere. But the clause goes further and allows for a breach of lease in circumstances in which there is not a DVO, there is not a court injunction, and there is no indication of a prosecutorial notice, a court record of conviction or a charge in relation to family violence. Instead, a report can be made in a form approved by the commissioner and completed by a person who has worked with the tenant and is either a medical practitioner, psychologist, social worker, police officer, person in charge of a women's refuge or—a catch-all—a prescribed person or class of persons, which allows further people to be added by regulation. Stakeholders have expressed concern that it is too loose a process and, especially with doctors, who are busy and seeing people all the time, there is a risk that it will lead to a sick-note mentality. I would be interested to hear the minister's views about why the ability to breach a lease on reports from this range of people was included in this legislation, and would like an indication of whether this was modelled on any other state or territory in Australia and whether these sorts of provisions are available in those states.

The Real Estate Institute of Western Australia considers that a fundamental contractual relationship such as a lease should be breached only by some form of magistrate's order. I note that in other states, rather than having to go to Magistrates Court, victims of family violence are able to make applications to a civil or administrative tribunal. Again, I do not know that we need to be overly prescriptive, but whether it is a magistrate or a registrar, the Real Estate Institute of Western Australia has made the point that it would create a lot more certainty for landlords and also provide clarity and certainty for tenants, especially because in other parts of this legislation they have to go to court anyway, whether it is to apportion payments between the perpetrator and the victim or simply because the victim will need to get a domestic violence order at some point. I would be interested in the minister's views and whether this issue was canvassed with stakeholders such as the Real Estate Institute of Western Australia prior to the tabling of the bill.

Other provisions of the bill have caused a level of consternation, but I do not want to overstate it. Clause 10 allows tenants to change locks without permission or notice to the landlord. We can all understand why that would be required in some circumstances for victims who are fearful of continuing visitation and further violence from the perpetrator. One way to preclude perpetrators from entering is to change the locks. The concern here is that no notice seems to be required prior to the event. I can understand why that sometimes may be the case, but no provisions have been considered around shared properties or properties where there might be a shared entry door to multiple dwellings or how that would be carried out. Changing the lock would obviously inconvenience the other occupiers of the multiple dwelling apartment block or unit complex. I note that one state—I think it is Victoria—has the provision that the master lock cannot be changed without permission, a master lock being a lock that is utilised by multiple people living in multiple dwellings on a site. I wonder whether consideration was given to that.

There is some concern that if lock changes are not done correctly or to a particular standard, they may end up rendering insurance policies void, especially if the change impacts on the fire ratings of the doors. In practice, I am sure that we can deal with these things, but one way to do that could be a very quick notification process whereby notification must be given to the landlord in a short amount of time. I notice that in this clause it is seven days, but perhaps a shorter period could be considered because, especially at the time that it is happening, that is when the victim of family violence would be thinking about it in the main.

Clause 12 allows for tenants to make significant modifications to the property without needing to seek permission from landlords. Again, it is understandable that tenants who have endured family violence—sometimes for a long time or just for a short period—are concerned to add security features to their property and would therefore want to go ahead and do that at their own expense to secure their premises and to protect themselves and their families. That is understandable, but the Real Estate Institute of Western Australia has submitted that rather than allowing the tenant to do it and letting the landlord know later, a notification-style interaction between landlords and tenants perhaps might be required. A tenant would inform the landlord of what they were going to do and there would be no real provision for a landlord to deny the request unreasonably or unnecessarily. However, at least the tenant and the landlord would be working together and preserving the important relationship that ought to exist between landlords and tenants. The situation can be foreseen in which the tenant proposes a particular form of security or alteration to the property and that if they contacted the landlord, the landlord may think that either the alteration was a good idea for the property and would want to fund it, or propose an alternative that might be acceptable to the tenant. Again, that could enhance the long-term value of the property rather than requiring the tenant to install it and to remove it at the end of the tenancy at their own expense. Informing the landlord before the alteration would at least allow that form of conversation. In practice, in the ordinary course of events, for alterations such as security doors, security screens, roller shutters and the like, tenants would not roll up to the local hardware store and buy and install it on the same day. They would need to get a contractor. In fact, proposed section 47(5) requires that alterations must be undertaken by a qualified tradesperson, so it would take a couple of days to arrange that anyway. I do not see any reason why a notification method could not be introduced that would run concurrently with the tenant and their supporters sourcing materials required to make the alterations.

Clause 13 of the bill proposes to insert section 56A, which is essentially couched in the terms that a landlord should not discriminate against a person on the grounds that the person either —

- (a) has been or might be subjected or exposed to family violence; or
- (b) has been convicted of a charge relating to family violence.

That is so victims of family violence do not end up on a database and are deemed inappropriate tenants by some landlords. That is a great idea for victims of family violence who are described in proposed paragraph (a), but I am not necessarily sure that extending that protection to people who have been convicted of a charge relating to family violence sits well with the message that we are trying to send the community. The message we are trying to send is: “Family violence is bad; don’t do it. If you’re doing it, stop it; reform, rehabilitate and become a valuable member of society who respects family members, women in particular.” As we have said, in the majority of these cases, the victim is a woman. I would have thought, and certainly some of the stakeholders have put to me, that perpetrators of family violence ought not to be given the protection of not being discriminated against in taking out tenancies in the future. I would have thought it would be axiomatic that if we are trying to protect victims and send a strong message to perpetrators, we should let them suffer the consequences of their actions, including, if it so happens, that they are placed on a tenancy blacklist or, at the very least, have their record reflect the fact that they have been perpetrators of family violence. Not all landlords may utilise those sorts of databases and not all landlords may care about that information. I think they should, so I am puzzled why we are extending protections to perpetrators against discrimination. That has also been pointed out by various stakeholders.

There seems to be confusion out there—again the minister may be able to clarify this—about whether a change made under the provisions being introduced to a tenancy agreement in which one party is removed and another party continues with a tenancy would require a new property condition report to be filled out. It has been pointed out that the increased need for these property condition reports will simply add costs to landlords, which may not be necessary. Although the perpetrator has gone, the condition of the property may not have changed and the landlord may be satisfied that there has not been any undue damage, so why would we require a new property condition report? Why would we not simply rely on the existing report that was done at the commencement of the tenancy or the previous renewal of the tenancy, or whatever the case may be? I think that is a fair question to clarify. Again, I hope that the minister can clarify some of these issues.

Another issue that has been raised with me is that proposed section 17B, inserted by clause 5 of the bill, effectively allows for a lessor—a landlord—to take civil action against a perpetrator even in cases in which no criminal conviction is recorded against the alleged perpetrator. The problem that seems to appear here—again, it requires clarification from the minister—is: what happens in a situation in which recovery is impossible because the person has absconded and cannot be found, or the person may end up in jail for a significant period? They simply may not have the means to pay for the damage that they have caused—the impecunious perpetrator, to use one of those

interesting legal terms. Who then compensates the lessor? If there is damage to the property, in some cases the property may not be able to be let without significant repairs. Again, it is a societal issue and a societal cost, and the cost seems to have been transferred to the landlord. That seems unfair. One suggestion that has been made by stakeholders is that in circumstances in which there is an order but the cost simply cannot be recovered, consideration could be given to using the rental accommodation fund to compensate landlords. I know that some people in the community want to demonise landlords or tar them with a brush that they are wealthy and whatnot, but we have to acknowledge that private landlords play an important part in providing housing for people in our community. They are a critically important part of the community. Often, those landlords are not wealthy individuals. People may have worked hard and denied themselves certain pleasures in order to accumulate one or maybe two investment properties to provide an income for themselves, not be a burden on society and to supplement their superannuation and the like. The last thing we want to do is to discourage people from doing that. We talk about housing affordability. We also talk about circumstances in which there may not necessarily be a healthy supply of housing. I think there is a bit of a glut here in Western Australia at the moment, but that will change, as it has changed in other states and as it has changed in Western Australia before. Internalising the costs of what is really a social good and a social benefit onto a small class of people—landlords—may discourage them from participating in the rental housing market.

Let me be frank: I do not think the past decade has been a great time for landlords. There has been very little capital growth. Rents have certainly not increased. In fact, anecdotal evidence seems to suggest that rents have declined, and in less affluent markets or lower price points of rent, they have declined even quicker. Burdening landlords with significant red tape and costs is not going to actively encourage them from participating in the rental housing market and increase the housing stock, or make provisions for people who choose or are forced to rent. It may have an unintended consequence of discouraging investment in rental housing stock. Again, I seek some clarity from the minister. I understand that, in the main, if someone has caused damage to property, they should be pursued for it. If it has happened in the context of family violence, the last person who should be bearing that cost is the victim of family violence, who is bearing so many other costs from that nasty and horrible situation. They should not be burdened with the financial costs of damage that they have not caused—damage and loss that has occurred to a landlord through no fault of the victim of family violence. At the same time, if the landlord cannot recover—I do not think I need to spell out to the house how we can foresee circumstances in which the perpetrator of family violence may either not be found or not be in a position to make good the damage they have caused—unfortunately, the debt falls onto the landlord. Associated with that are also some insurance provisions. Often insurance precludes recovery for damage caused in circumstances that led to a criminal offence. Often insurance companies will say that the landlord should claim from the perpetrator and not from the insurance company, so the landlord might end up with a double whammy: the insurance does not cover them because they have an order against the perpetrator, and the perpetrator either cannot or will not pay their fair whack for the damage or loss they have caused the landlord. Again, one of the suggestions that has been put—there may be others as well—is perhaps that the rental accommodation fund or some other fund that holds onto moneys related to residential tenancies could be used, in quite narrow circumstances I would expect, to ensure that the burden is not unfairly carried by the landlord.

Those are just some of the issues that have been identified so far. I do not think any of them are insurmountable. Many are probably the fear of the unknown, and some of them are simply technical and require a bit more thought and perhaps a bit more consultation. The opposition will be particularly interested in the response of the minister in teasing out some of this information during consideration in detail. I also think that some of the unintended consequences that we have highlighted tonight may well have benefited from broader parliamentary oversight, inquiry or review. I do not want to foreshadow or shackle the other place, but when this bill gets there, its members may in all fairness consider that they need to look at this in a bit more detail. That will be up to the other place to decide. From our perspective, the opposition supports the sentiment behind this bill. We think it is just one more small step in providing a legislative framework and an understanding in the community that family violence should never be tolerated; that the victims of family violence should not be forced to wear the costs imposed upon them by perpetrators, especially in residential tenancies, which we are dealing with in this bill; and that we can continue that education process I spoke about at the outset, under which family violence is no longer something that we do not talk about in “polite society”, but is something that we acknowledge as a reality across all strata of our society.

We acknowledge the enormous damage that it does to victims and their families, particularly the children of those victims. We acknowledge that, particularly in cases of family violence, the last thing we want to see is the families who are victims of this violence being made destitute or homeless—and so we support all the sentiments behind the bill. Clarification and further examination of some of the issues I have raised and will raise during consideration in detail may actually give this bill broad community support, and may help all the participants, especially landlords, the effectively innocent third parties in all of this—the victim is an innocent victim, and the landlord is an innocent third party—to not feel that they are unnecessarily carrying the cost and the burden of the actions of others. If we can improve the clarity around the bill, and perhaps consider some changes that might enhance it, we will definitely be on the right track: all the critical stakeholders will be on board, and the implementation of this legislation, when it passes this place, will be seamless and lead to better outcomes for the people we are trying to protect—the victims of family violence.

MR P.C. TINLEY (Willagee — Minister for Housing) [9.07 pm]: I rise quickly to make some comments on the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 as the landlord, I suppose, for some 36 500 dwellings across the state of Western Australia making up the public housing stock and, by extension, up to 42 000 dwellings supported through the community housing sector. On that basis, I want to make some quick remarks for the record. The housing division within the new Department of Communities is over 100 years old, and has been providing accommodation of last resort, and in some cases of first resort, to many Western Australians over that time. Thousands of families have had the benefit of public housing, and both sides of this house support the idea of the state coming alongside to support those in need, as indeed is the responsibility of any civil society. This extends right across the state. Enough has been said today about remote Indigenous communities and the commonwealth's seeming indifference to their future. I congratulate my colleagues Minister Johnston and Minister McGurk on this vital piece of legislation. It is essential, and it has been a long time coming. I know that Minister McGurk, the Minister for Prevention of Family and Domestic Violence, worked tirelessly across all sectors of the government and related agencies to ensure that this legislation came to Parliament in the best possible form.

The new provisions in the bill will provide victims of family violence with much-needed decision-making autonomy over their living arrangements in both public and private rental accommodation. The public rental sector is one that particularly activates me, as members would imagine. Too many times, members of this house have been confronted in their electorate offices with a victim of domestic violence, usually with children in tow, attempting to find some sort of accommodation in a very sparse network of refuges, where the demand for safe accommodation far outstrips supply from time to time. I recall vividly a particular case in my electorate office, on a Friday afternoon at five o'clock, as is always the case, of a mother turning up rather worse for wear and feeling the full effects of what was clearly a violent incident, with two young boys in tow.

She was completely at her wit's end trying to find a safe place to be accommodated. Of course, we hit the phones attempting to find some sort of safe place for them, which was a very difficult exercise. The key issue, by way of an aside, was that one of the boys was 12 and because of that there were fewer opportunities and resources for them to be housed. For victims of domestic violence, or women seeking refuge with children, particularly boys 12 years or over, very few places will take them for a range of different reasons and a learned experience. There is a gap in that certain segment of the market to provide that opportunity.

The Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 recognises that a home should be a sanctuary for all. We all enjoy the benefits of a home and understand the security of a home; indeed, anybody who has ever had that sanctity breached by a burglary or home invasion knows in stark terms how much psychological support their roof represents to them. It is much more than simply a roof over our heads; it provides a foundation for individual, family and community wellbeing and gives us a personal sense of place and home. That is never more so the case than for vulnerable citizens in the public housing system, because a home provides much needed stability, connection to community, roots and a foundation. For the benefit of members, the Department of Communities, under the machinery-of-government changes, presents us with a unique opportunity. Now, for the first time, a thematic connection of agencies that did not exist prior to the MOG changes presents a genuine human services agency contained in a single department. It is a fundamentally important point. So often members have talked in this place about the dealings they have had in their community. Those who have been privileged enough to be ministers have had to fight on a daily basis the idea of cross-solo collaboration—making sure that we have case management across agencies to ensure that child protection, housing, disabilities services, community services and family services were all joined as a go-through-the-door support for the family. That is no more so than in circumstances in which there is a breakdown in a relationship that becomes untenable through the advent of domestic violence. The Housing Authority, which forms part of the Department of Communities, has for a long time been committed to the safety and best interests of adult and child victims of family violence. Its safety-focus policies have assisted victims of family violence. I will outline for the house some of the programs and circumstances in which Housing provides that support. We can provide additional home security; arrange for transfers to new accommodation where it is appropriate; allow a tenant to vacate their property and retain their transfer application until suitable accommodation becomes available; refer tenants to specialist support agencies; provide housing to specialist service providers to support women escaping domestic violence; support trial programs, such as the Zonta safer pathways for women and children program, on which the Minister for Prevention of Family and Domestic Violence has been front and centre; and, provide capital funding for women's refuges throughout the crisis accommodation plan. For anything that has a bricks-and-mortar component, the Housing Authority, inside the Department of Communities, provides wraparound services ostensibly provided by other agencies within the Department of Communities.

I highlight the fact that quite often when we talk about domestic violence, we talk about the victim of domestic violence being the mother, the partner or the wife of a male perpetrator. But, in fact, there is an important distinction here because we need to talk about family and domestic violence. I encourage members to visit the Rise Community Support Network and Kirra House in Midvale. If members have never been out there, I recommend that they go there and have a conversation with girls as young as 13, who through some form of

domestic violence inside the family unit can no longer safely participate in their accommodation. Quite often the senior male in the house is the perpetrator, but not always. In blended families there may be a stepbrother or a stepsister and a situation becomes untenable. We need to make sure that we understand there is a diversity of victims; yes, by and large the majority of victims are the female partners in a domestic relationship, but there are also very young and vulnerable people. I recommend that members visit. If they need to become connected to it, please see me and I will make sure they have the opportunity to go there. Recently, I was with the member for Kalamunda at St Emilie's Convent. The previous government committed to support, through Housing and Lotterywest, a grant to upgrade St Emilie's Convent to provide a refuge for young women—women generally, but certainly the majority of them are young women—to get out of homelessness, of which domestic violence is one particular creator.

This bill is particularly important because the Housing Authority sees its role as a model and social landlord that provides best practice to look after its tenants and to make sure that their environment, whilst it is a commercial relationship, has a social component, and that we completely understand the sensitivities as to why somebody would need public accommodation. It is vitally important that we as a state see very clearly our responsibilities in supporting those people. This bill has caused the Department of Communities and the housing division to reconsider some of its policies, and that work is ongoing in anticipation of this bill passing through both houses and becoming law, particularly with issues around lease arrangements. Quite often we find that only one person is on a lease for a public house. If in those circumstances that person is the male perpetrator of domestic violence, we will swap the lease over to ensure that the house remains with the majority of the family—the victim and children. That should just be a seamless process, but in the past it has been the case in other circumstances not related to domestic violence that the attempt to transfer a lessee on the lease has triggered a whole new application within the process of applying for a house. A compassion rule needs to be applied. We want to automate that process, particularly when it is triggered in the circumstances around this bill.

I differ from the member for Hillarys, whose final comment piqued my hearing. He said that the landlord is an innocent victim when there is property damage. Property damage is a foreseeable possibility any and every time we enter a commercial arrangement with a lessee. Any member who has had rental properties has experienced some form of damage on their property, such as minor fair wear and tear or major damage through negligence. It is a fundamental circumstance that any landlord would contemplate. They are not innocent. It is foreseeable, it is insurable and it is recoverable at law. A contract under this arrangement differs in no way from those contracts entered into by any other landlord. I felt moved to talk about that issue, but that is not to demonise landlords or suggest by one iota that they are not in the main compassionate, civil and appropriate people to run lease agreements with.

The other thing that is really important—this is the final point I will make—is that the real estate industry must take heed of this when it provides professional advice, because so much rental accommodation in Western Australia is run by rent-roll managers and, in some cases, strata managers. They have to make sure that they are professionally up to speed with this legislation and all other relevant acts that relate to commercial arrangements entered into with tenants, so that they can provide proper advice to any prospective landlord who comes on their books. There is an onus on the real estate industry to understand this. It has engaged on this bill since before the change of government. As the member for Hillarys said, this particular legislative movement had its genesis some time ago and the real estate industry has been intimately involved every step of the way. I know that because I could not go into a conversation about amendments to the strata title legislation without it somehow segueing across to this issue. I did that as shadow Minister for Lands; Housing in the previous iterations of my time in this place. I find it very surprising that we see a deviation from what has been the real estate industry's long-held view to what it appears to be in public comments made recently. I am particularly keen to hear where the industry feels the miscommunication has come from, considering the depth and breadth of the engagement that it has had. I will defer to my colleague Minister Johnston on those particular technical issues around this bill. I thank members for their indulgence. It is not often that ministers get to talk on somebody else's bill. As a landlord, I also see that I have a responsibility in this house to make sure that I have some of those points recorded. I commend the bill to the house.

MR D.T. REDMAN (Warren–Blackwood) [9.21 pm]: I want to talk on the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 on behalf of the Nationals and also more broadly. I am not leading the Nationals on this legislation—it is the upper house member Hon Marty Aldridge—but I want to make a couple of comments and put a couple of issues on the record.

I feel I am extremely lucky to have been brought up in a loving family for the most part. In fact, all my youth was spent in regional Western Australia in relatively small communities from the Kimberley down to Esperance. Probably the biggest centre I lived in as a child attending school was Esperance. At the time, in the late 1970s and early 1980s, there were probably no more than 5 000, 6 000 or 7 000 people in Esperance, so it was not a particularly big centre. Throughout that time, and because of the circles and the family circumstances I was in, I was not exposed to many of the issues that we are talking about today and that we are responding to in a legislative

sense. I went on to Perth for five years of university study. I learnt a hell of a lot of things in Perth at the time as a 17, 18 and 19-year-old, but, again, I was not exposed to such issues, other than perhaps through other mates and the like who may have been in different circumstances, but, even then, I never really got a chance to drill down to some of the issues that many in our community face.

I qualified in agricultural education and taught for 18 years, including finishing up as a principal of an agricultural college. In that setting, I was exposed to these issues. We were involved with residential schools. The upper school students were boarding away from home and in some cases there were complications that came from home that we had to manage in the school setting. Again, that was probably the first time, in a very formal sense, that I was exposed to the whole raft of issues built around family and domestic violence as it plays out, and the implications of that for children. From my perspective, it was the educational pathway for these kids and the environment they were living in. As a school principal, I had to sign off on decisions about the suspension of kids for a range of behavioural issues in the school on more than one occasion. I had a responsibility to respond to the behaviour for the safety of those kids and others knowing that they would likely go back into a circumstance much worse than the environment that they were in at school. It was a terribly tragic outcome to have to make a call to put someone back into a family arrangement. We did not have too many cards to play or too many options, but again it was in difficult circumstances, and I guess they are learning experiences.

People may not believe it, but doorknocking to be a member of Parliament in a very small way is enriching in the sense that we are exposed to other people's households. We get a chance to see how people live and the environments they are in and to hear the issues that they raise. Again, that builds a person's level of background knowledge. From my perspective, it was valuable in bringing a level of experience to this place that hopefully I can use to contribute to legislation such as this and to other issues. As members of Parliament, we often deal with very complex issues that come in our doors—issues that we certainly do not want to talk about in a public sense, but that we want to resolve to help people to get outcomes. There are people who are in some very, very difficult circumstances. For the most part, I think the broader community would not know that every member of Parliament here would be dealing with those sorts of issues. They would not know the level of risk faced by victims of family violence or children or the elderly or whoever it might be. We deal with all these things as a matter of course. We work with ministers, ministerial officers and agencies to get outcomes for many and varied issues. Again, I make the point that people need to be exposed to such issues, as we are as members of Parliament, to build their knowledge and understanding. It is very easy to come to this place and see legislation such as this, which is good legislation, which will have our support for the reasons I have highlighted in terms of the issues that we see.

We just had the Minister for Housing on his feet. I had a number of portfolios in my eight and a half years as a minister; one was housing and one was corrective services. I think I had housing before corrective services. As the minister well knows—he talked about this in the house—a minister gets to see all the briefing notes on all the issues that run and happen in very challenging circumstances. I am sure that the Minister for Housing, like me, would have had issues when people have asked him to resolve issues or to make decisions in favour of a particular outcome. For the most part, I am sure that he would follow the same advice that I did: it is very hard for ministers sitting where they do to make judgements on the priority of all the priorities that agencies face managing those complex issues in our community. With 36 000 tenancies—do I have that right?—there are a lot of issues to manage. In corrective services, the first time I was a little desensitised—the Minister for Corrective Services has been in that role before—was when the first briefing notes came through. It sends one off the reservation. One cannot get a full appreciation of all the issues that sit there, the complications around people moving in and out of prison, the reasons that they are there, and, in many cases, the impact of family and domestic violence being one of the outcomes of people who finish up in the prison system.

I make the point that throughout a person's life—although I was very, very lucky in my childhood years—through all these experiences, they come to understand and to appreciate why we need legislation such as this. To pick up on the plan, we have a responsibility to do that. It is appropriate that we give credit where credit is due; this government has taken up this issue as a priority, and it is pleasing to see that.

The Minister for Housing made the point that this legislation is about family violence; it is not just domestic violence. It involves youth as well as elderly people, and it will capture a number of groups that could well be victims of family violence circumstances. In the case of the homeless seeking assistance, some 40-odd per cent come from family violence circumstances. In essence, the actual goal of the bill is to make it easier for victims of domestic violence to leave abusive relationships or to evict perpetrators of domestic violence from tenancies. There are largely a couple of pathways. There is a judicial pathway, in which a person can get an order to do so. In the case of this bill, a third party validation can validate that someone is in a circumstance in which they are subjected to domestic violence. Other parts of the bill refer to people being safe. If the victim is to remain in the tenancy or the household, that environment needs to be made safe from the potential risk of the perpetrator. Changing locks and the like—a whole range of elements come in to give a level of safety and support to the victim of a family violence issue who remains in the tenancy.

I raised a couple of issues with the minister's staff today and I am pleased that the minister saw fit to lend a level of support to them. Although the amendments will not necessarily be moved in this house, it is certainly open for them to be moved in the other place. I will highlight what those two areas are. The first area was to have some sort of statutory review; in other words, there are potential unintended consequences. We all talk with the right spirit about what this is trying to achieve; however, unintended consequences may emerge. No other state has taken this path. It is new and fresh. Although I am sure the agency, the minister and others would have a review, a statutory review would give comfort. It would force it to happen, giving enough time, as I said to the minister today in the corridor, to have the valid data needed to achieve it. I do not think it should be necessarily short, but it should be a reasonable period to give some validation to the impact, and hopefully there are no unintended consequences of what the bill sets out to achieve.

The other area of concern was in taking the non-judicial path to get support for someone to be taken out of a residential tenancy. It is probably more appropriate to highlight this during the consideration in detail stage, but proposed section 71AB(2)(d) highlights a number of persons who can give some sort of formal statement to say that this person is in a situation of family and domestic violence, and, therefore, it is appropriate that they can be removed or actions can be taken to get them out of their tenancy. I talked about having more than one person. The bill describes it being a person registered under the Health Practitioner Regulation National Law (WA) Act 2010, in the medical profession, the psychology profession, a social worker or a police officer. I know the minister would probably like to do a bit of work to see whether that will in fact not have any unintended consequences the other way, in which we are not able to achieve those outcomes. I can appreciate him not being able to take a position on that on his feet. That is another issue that the minister has said he is prepared to look at, but those issues will be debated and discussed in the other place.

I congratulate the government for bringing this on; it is really important. As I said, we are all exposed in our jobs to the implications and issues that this bill endeavours to resolve and I am sure there will be good discussion in both houses. I will be very surprised if it does not receive support to get it through as law.

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

House adjourned at 9.32 pm
