

LANDGATE — COMMERCIALISATION

Standing Orders Suspension — Motion

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.55 pm] — without notice: I move —

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

That this house condemns the McGowan government for its deceitful privatisation of Landgate, for breaking a key election promise of no privatisations and the complete lack of transparency on its intention, including its plan to sell the private and confidential data of hundreds of thousands of Western Australians without their consent.

Yesterday, government members made one of the most hypocritical, dishonest, underhanded moves I have ever seen in this house. Government members walked in here and said, effectively, “We’re going to privatise parts of Landgate but, because we’re the Labor Party, we’re not calling it privatisation.” This is the government that won an election 15 months ago largely on an anti-privatisation campaign. Over and over again, Labor Party members said they would stop privatisation. This is important; it goes to the ethical standards of this government. I quote —

WA Labor recognises that selling your assets is a short term fix, not a long term plan.

Privatisation means future generations risk being left without these essential assets and the revenue they generate for the state.

WA Labor will stop the privatisation of existing public sector services and where possible and economically beneficial to do so bring services back into the public sector.

What is the government doing? It is planning to privatise part of a monopoly government asset, one that is already commercialised. It is a commercially run business—a government business enterprise—and has been for a number of years. It pays taxes to the state and pays a dividend to the state, and it has for a number of years. It has been on a reform agenda for some time led by the previous government. As the current government states in one of the few honest statements in its press release, “Landgate has transformed itself into a world-class operator.” Yes, it has. It is efficient, profitable, productive and provides an excellent service for the consumers of Western Australia. But we are not dealing with just any asset. This deals with arguably the most important database in the state—our land title systems, the transactions on those land title systems, information on mortgages and information on changes to mortgages.

The SPEAKER: Leader of the Opposition, you are now talking about the urgency of —

Dr M.D. Nahan: Yes, I am.

The SPEAKER: Excuse me; you are talking about the urgency and not the actual facts of the matter.

Dr M.D. NAHAN: Yes, I am trying to explain to you why this is urgent. Members opposite walked in here yesterday without any documentation, except a press release—they have a study but they have not given it to me—that included inaccurate descriptions of what they are going to do in doing something they swore to the public of Western Australia that they would not do. Members opposite are going to sell a major asset and this is the last day of sitting. They have had three chances today and one yesterday to answer a question about this, but they refused. They refused to answer or describe what they are doing, what assets they are going to sell, what safeguards will be put in place, what types of activity will be sold, the duration of that sale, who they would sell it to, and how they are going to protect the quality and privacy of the data. Government members have refused to answer. Firstly when they made the statements, they should have tabled the scoping study upon which they based this. Secondly, the government had plenty of time. We asked two questions of the minister and the Treasurer was asked a dorothy dixer. Did they answer the questions? No. The public expects a response, particularly from a government that campaigned and won an election on the basis that it would not privatise. Government members are using the weasel word “commercialisation”. Landgate is already commercialised. It was officially commercialised two years ago. It is dishonest. The government is planning to sell a long-term right to a private sector entity to operate the electronic functions and activities of this firm. That is what I think. That is privatisation. The Minister for Transport uses weasel words like “commercialisation”, but she is just being dishonest.

Withdrawal of Remark

Mr W.J. JOHNSTON: The Leader of the Opposition just accused the minister of something that is unparliamentary and I ask him to withdraw.

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

The SPEAKER: Will you withdraw?

Dr M.D. NAHAN: I withdraw.

Debate Resumed

Dr M.D. NAHAN: She is playing footloose with the truth and she knows it. We in this chamber have had many debates about privatisation. One example is the debate on the Utah multiuser facility. It is an asset in the port at Port Hedland. We did not propose to sell the port at Port Hedland. We proposed to enter into a long-term lease for the use of the Utah facility. That is exactly what this government is doing. We all agreed that what we did was privatisation. Members opposite certainly did. Now they are using weasel words like “commercialisation” to try to hide the fact that they are going to sell the long-term right for a commercial issue. This will have a lot of implications. Again, what is this? It is a necessary monopoly asset that deals with some of the most important and vital information of all Western Australians. It is essential for households, commerce and the functioning of government. And the government is going to partially flog it, but it is not going to tell us why, how or to whom, or what safeguards there will be or what restrictions there will be on the sale. These are necessary statements. We gave the government plenty of chances to do so and it refused. It wants to go out to the public of Western Australia and masquerade as the anti-privatisation party that is not going to privatise but actually is going to privatise because it thinks it will earn in the vicinity of \$640 million. That is what the press release states. But it is not privatisation. Why would someone pay the government in the vicinity of \$640 million for something that is already commercialised if it is not going to give them the right to reap the commercial gains? It is.

The problem is that government members just cannot tell the truth. They are trying to hide what they are doing. Now they are trying to hide behind the word “commercialisation”. They are trying to hide behind the redress scheme. The redress scheme is a separate issue. The Treasurer agreed that he is going to fund the redress scheme no matter what happens to Landgate. The two are separate, but they are trying to hide behind it.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.03 pm]: I move —

To insert after “forthwith” the following —

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

In moving this amendment to the motion moved by the Leader of the Opposition, I remind the opposition that this is the third motion to suspend standing orders that has been moved this week. Again, the opposition simply disregards the ongoing conventions of this place. Every day of this week, a motion to suspend standing orders has been moved and one was moved last week, so that is four sitting days in a row. I remind the opposition that on each occasion the motion has been agreed to. This demonstrates the incapacity of the opposition to not only articulate an argument, but also understand and respect ongoing conventions that were respected by those on this side of the house while in opposition. I remind the house that this is the fourth consecutive motion to suspend standing orders. It is unprecedented. It is not conducive to the effective operation of the Legislative Assembly.

We had a legislative program for this week. After this motion is debated, there is a necessity to deal with the important consideration of a message from the other place. We will also deal with the appropriation bills before we rise tonight. I had expected that we would be able to leave early tonight, but I put on notice all members—this was through agreement—who have a contribution to make to the second reading debate on the appropriation bills that we will continue with that for those who wish to make a contribution, but members opposite will need to decide whether they will make a contribution because this house will now sit late. That is fine. I remind opposition members that the way that they are conducting themselves with the continuous moving of motions to suspend standing orders is unprecedented and demonstrates the ineffectiveness of the way they conduct their arguments in this place.

We will agree to a debate of 15 minutes for each side, but I remind everyone that this afternoon we will deal with the message from the other place on the Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017 and then we will move on to the appropriation bills and conclude that debate tonight. Members should not argue that that is unfair, because that is the way that they deal with the operations of this house. That is what we will do. We will make sure that the government’s program is dealt with, as was highlighted in the letter given to members with due notice on Friday last week. Again, this is a demonstration of the ineptness and incapability of the opposition to not only articulate a message, but also understand the conventions of this place.

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.07 pm]: I want to make it clear to the government how it is holding Parliament in contempt with this action.

Several members interjected.

Dr M.D. NAHAN: I am talking to the amendment.

Several members interjected.

The ACTING SPEAKER: Everybody in the chamber can speak to the amendment. The amendment has not been put.

Dr M.D. NAHAN: The issue is that yesterday the government proposed the privatisation of a very important asset and it did not give an adequate explanation for it. When we asked questions about it, the government effectively refused to respond.

Point of Order

Mr W.J. JOHNSTON: The amendment is in respect of the debate being limited to 15 minutes for each side. The member has to address why we should not support limiting the debate to 15 minutes for each side. It is a debate on the amendment, not on the substantive issue. It is not even a debate on the motion that the Leader of the Opposition has moved. It is a debate on the question of whether we should insert words to limit the debate to 15 minutes for each side. He has to keep his comments to that matter and that matter only.

The ACTING SPEAKER (Mr I.C. Blayney): The Leader of the Opposition can address the arguments that were put by the Leader of the House.

Debate Resumed

Dr M.D. NAHAN: I will not be long.

Mr D.J. Kelly: You will not be long in your job.

Dr M.D. NAHAN: Yeah, right!

The real issue here is that the government walked in here after a long, arduous campaign against privatisation, and told the Parliament that it was going to privatise the issue. Then it had plenty of time to answer questions on it, to give a ministerial statement or to issue a document to this place. Now we are rising for six weeks and we have been lectured by the Leader of the House that we should not have done this. I thank the government for providing 15 minutes to each side of the house for debate on this suspension of standing orders, but it is absolutely necessary. It would not have been necessary if the government had done the right thing and explained the problem and answered the questions.

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The ACTING SPEAKER (Mr I.C. Blayney): As this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.12 pm]: I move —

That this house condemns the McGowan government for its deceitful privatisation of Landgate, for breaking a key election promise of no privatisations and the complete lack of transparency on its intention, including its plan to sell the private and confidential data of hundreds of thousands of Western Australians without their consent.

As I indicated earlier, this is the height of hypocrisy by a government. This government was elected 15 months ago on a strong, ardent, longstanding commitment to no privatisation. Its number one campaign pledge was no privatisation: WA Labor will stop privatisation. Indeed, at the by-election for the seat of Darling Range, the bunting had on it again a claim that Labor was against privatisation. What do we have here? The Minister for Transport and perhaps the Treasurer have walked into this place without full disclosure and said, “We’re going to commercialise the automated section of Landgate.” The trouble is that Landgate was commercialised some years ago. It is commercialised now. It was commercialised as a government trading enterprise. The reason they have used the word “commercialised” is that they cannot afford to tell their constituency—not only the public that voted them in, but also their support base—that they are breaking one of their number one commitments.

Extract from Hansard

[ASSEMBLY — Thursday, 28 June 2018]

p4189b-4198a

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

This government plans, with very scant information, to take part of the commercialised aspects of businesses of Landgate and sell them under long-term lease to a private sector provider. This is what New South Wales did. Everyone from the ABC to the New South Wales government recognises that this is privatisation. This government is planning to hand over a commercial business to a private sector provider and it hopes to get in the vicinity of \$640 million for that transaction. Then members opposite come in here and say, “It’s not going to require legislation”, and therefore they will not be bringing legislation into this place to minimise scrutiny, even though the 48 pieces of legislation that Landgate comes under could be affected. There is a lack of transparency. The government has not dealt with the fact that Landgate is already making a profit. Its profit rate in both dividends and income tax equivalent to the state is expected to push \$50 billion at the end of the forward estimates in 2021. Is the government selling that? Is the \$640 million of the asset sale going to include that? The government says it is going to protect data—but how? What safeguards will the government put in there? How will it stop its private provider from just scooping up all the data and transferring it somewhere and selling it? We do not know that because the government has not told us. It is not going to bring in legislation. It has provided no adequate information about that whatsoever to Parliament, and it expects us to sit there and just let it go through to the keeper. We would be remiss and the public would be angry if we did not hold the government to account, firstly, for its broken promises, and, secondly, for the sale of an asset without due scrutiny or adequate detail on these issues.

Various accounting houses have carried out studies into Landgate before. Under the previous government, Landgate went into a major efficiency activity where it reduced its costs and became commercial, and that is why in three or four years’ time it will generate around \$50 million in profit to the state. I can see the Premier standing up at the next election and saying repeatedly, “We will not privatise monopoly assets because they generate revenue streams for future generations and undermine the asset.” That is what this government is doing and it is trying to hide and use weasel words to get around it. Good governments cop it sweet. If this government is going to break promises, it should break them and be honest. This government cannot do that.

MR D.T. REDMAN (Warren–Blackwood) [3.17 pm]: I want to talk on this, too. This is really interesting. Labor ran this in yesterday and expected us to sit down and not say a darn thing today—absolutely amazing! I do not understand the debate today about whether it is right or wrong to run a suspension of standing orders. This is the question: when is privatisation not privatisation? It is when the Labor Party does it. It absolutely railed against us in the last campaign. A massive campaign was run out there by the unions, yet government members have come in here and started to work away at privatising all these government assets. That is misleading to the people of Western Australia and that is why we are on our feet now to run debate in this house.

What has happened so far? The Labor Party had an election commitment to stop the privatisation of existing public sector services. In the Premier’s words, what is the definition of “privatisation”? It is the transfer of a business industry or service from public to private ownership and control. Landgate is a service. Is it transferring from public to private ownership? Absolutely—because there is a contract. It says so in the media release. Have they got control of it? Absolutely. This is a smack against the people of Western Australia on the basis of a campaign that the Labor Party took to the last election. This is the second backflip we have seen from this government on this issue of privatisation. The last one was selling off our wind farm assets to some sort of Dutch infrastructure fund. The government did not even tell the people that they were going to do it. There was no consultation whatsoever. It was just put out the door. The Labor Party was talking privatisation when it took that to the last election. Who else is the government misleading? Obviously, the people of Western Australia is one, but it is also misleading its own people—UnionsWA. I have an interesting submission here from UnionsWA to the Economics and Industry Standing Committee, of which I am a member. The submission is on the website, so it is a public document. The document states at the top “UnionsWA: WA’s Peak Union Body” and it is signed off by Meredith Hammat, the secretary of UnionsWA. I quote a paragraph —

In 2011 UnionsWA, with the support of public sector unions, launched the Save Our Services ... campaign which aimed to ensure all West Australians, particularly those most in need, can access decent health care, schools, public transport and other government services. This can only be done by keeping public assets in public hands and to that end it fought the previous State Liberal–National government’s agenda of privatisation, outsourcing and cuts.

At best, it is outsourcing. At worst, it is privatisation. Government members cannot say that it is not in conflict with what their very supporters—in this case, UnionsWA—put out as a campaign at the last election. They cannot run that campaign, come in here, tweak an argument, run it through and expect people not to jump up and down and say that they are hypocrites. That is exactly what has gone on here.

We have heard commentary from the Premier even today; he could not answer the very simple question and explain to the people of Western Australia what the government means by the commercialisation of an arm of Landgate. He said to go back to the media release. I thought that would be bread and butter for the Premier of Western Australia, who came in here yesterday and said that the government is going to mobilise some of its assets

Extract from Hansard

[ASSEMBLY — Thursday, 28 June 2018]

p4189b-4198a

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and get some money for them. Mind you, it is not a little bit of money. The inference from the media release is \$650 million, and that is not small bikkies by any stretch of the imagination. The Minister for Lands ran an argument that the government will come up with the differences between privatisation and commercialisation as though that is some sort of argument that it is okay to take it through. It is not okay. The people of Western Australia do not accept the argument that the Labor Party took it to the last election and now say that it is okay. Unions do not say that it is okay. The Labor Party's very own people do not say that it is okay. We have an argument to privatise an asset that is in the control of and owned by the state government of Western Australia.

If the government is putting out to contract for someone else to own and operate a commercialised asset or service and that entity is prepared to pay \$650 million, why would we not do that in government? Labor ran that argument when we sat on the other side of this place and considered these options. This is not about what our position was. This is about the Labor government's position. This is about what the Labor Party took to the last election and its credibility with the people of Western Australia about a decision it is making now, right as we go into the winter break when there will be less scrutiny on something that is massively hypocritical. The government needs to be held accountable for it.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [3.26 pm]: I, too, rise in support of this motion for which we have sought a suspension of standing orders to argue. I put on the record that it is a bit rich to be lectured by the Leader of the House about appropriate process in this place, when in our private members' time yesterday, we as an opposition—13 of us here and our partners, the Nationals—had our time taken up by government members. We get three hours of private members' time a week in this place and what do we see week in, week out? The member for Cannington was on his feet and made a filibustering contribution of utter diatribe. He consumed 45 minutes of our private members' time and contributed nothing to the debate that we were having—nothing. The Treasurer stood and contributed 28 minutes of information. That was appropriate. He was responding to our arguments. The member for Cannington was just consuming our time. The only options available to bring matters to this place are private members' business —

Point of Order

Dr A.D. BUTI: If the member wants to waste her time on this, I do not really mind, but it has nothing to do with the motion that is being debated at the moment.

The ACTING SPEAKER (Mr I.C. Blayney): Thank you. There is no point of order, but I will ask you to come back to the subject.

Debate Resumed

Mrs L.M. HARVEY: We have private members' business, matters of public importance and suspensions of standing orders, and that is what we have sought today. The government thought that having got through the Darling Range by-election, it could sneak out a privatisation agenda and no-one would notice. We noticed. I will tell members the difference between commercialisation and privatisation. Commercialisation is managing an enterprise or an entity to make a profit. That is what commercialisation is and that is what private businesses do.

That is not what government does. Privatisation is when a service or an entity transfers from government ownership into the private sector. The government's media release states quite clearly and explicitly that the decision to partially privatise Landgate will help to fund Western Australia's participation in the National Redress Scheme, which is expected to need \$640 million. The second page states —

An independent, competitive process will be undertaken to identify potential commercial service providers.

That is not government. That is a potential commercial service provider. That is called privatisation, unless the Labor Party does it. It calls it commercialisation if that is the case. That is what is happening here and that is why we are outraged and have brought it to the attention of this house. The minister stood and said that is not what the government is doing. Explain the media release. We have asked the minister multiple questions without notice and she has refused to explain what she means by commercialisation—refused. She has a big report informing the government's decision. She has not tabled that. What are we supposed to do with the information provided here except assume the bleeding obvious? When every other land titles registry had their functions privatised, it was through a long-term lease—a 35-year period, a 40-year period, depending on the state—or sale. There is an up-front deposit from the commercial operator to government and then usually a return on investment in the years after that. Whether it is a long-term lease or whether it is taking a function for a discrete time or it is moving the entire function out, it is privatisation. Call it what it is and own up. The government should own up and explain to the community of Western Australia what it is doing. Even on Landgate's own website, bulletin 311 states that the following automated services will move into this commercialised regime —

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

- Searches of the titles register
- Property interest reports
- Electronic Advice of Sale service
- E-conveyancing lodgement support services

That means they will be under the control of a commercial service provider yet to be determined by this state government. All we are asking the government to do is explain what its media release states. Explain how it will get \$640 million from a commercial service provider. If it is not selling a commercial service provider something, it is not leasing it something, it is not giving it access to the information held securely by Landgate to use for its own profit, what is it doing? The government has refused to explain it. The Premier has refused to explain it. We demand answers on behalf of the taxpayers of Western Australia. The constituency and the community out there who voted for Labor on an anti-privatisation agenda need answers on the government's agenda.

MS R. SAFFIOTI (West Swan — Minister for Planning) [3.28 pm]: I will respond to this motion. It is half past three on a Thursday. The opposition's first question today was on bunting. Let us go through that again. The opposition thought that it was so urgent —

Mr D.T. Redman: That joke has expired.

Ms R. SAFFIOTI: Sorry; is the member interjecting on or intimidating me? I think the member is staring intensely at me, and I do not like it. I do not like it.

Mr D.T. Redman: You of all people do not need to be downplaying the issue that was debated yesterday. It is a very different issue.

Ms R. SAFFIOTI: Why are you attacking me? Why are you raising this?

Mr D.C. Nalder: You raised it.

Mr S.K. L'Estrange interjected.

Ms R. SAFFIOTI: Is it okay to attack a woman, is it?

Mr D.C. Nalder: You raised it.

Ms R. SAFFIOTI: Three men here attacking a woman.

Mrs L.M. Harvey interjected.

Ms R. SAFFIOTI: I am feeling uncomfortable, member. I ask you to stop.

Mr P. Papalia: Double standards—two rules.

Ms R. SAFFIOTI: As I said, there are two rules in this place all the time.

Mrs L.M. Harvey: Like your two rules on privatisation.

Ms R. SAFFIOTI: Member for Scarborough, let us go through it. We are not selling an asset. That is the key point. No staff are being transferred. No asset is being transferred. The ownership of the registry stays with the state government. The ownership stays with the —

Dr M.D. Nahan: You are selling a long-term lease and you know it. Just be honest. Tell us what you are doing.

The ACTING SPEAKER: Thank you, Leader of the Opposition.

Ms R. SAFFIOTI: Mr Acting Speaker.

The ACTING SPEAKER: Carry on, minister.

Ms R. SAFFIOTI: We are not selling the asset. We are not transferring staff. We are keeping control of the asset. That is the key point. In relation to this —

Mr S.K. L'Estrange: How much money are you making off the sale?

The ACTING SPEAKER: Could the minister sit down. Those on the opposition side were pretty much heard in silence, so I would like to hear the minister in silence too.

Ms R. SAFFIOTI: We keep the asset. We keep the registry. We keep the asset completely. We do not transfer staff. No staff are leaving. I think opposition members do not understand what Landgate does now.

Mr D.C. Nalder: I do not think that staff get transferred when you sell land.

Ms R. SAFFIOTI: Why does the member for Bateman not make a contribution?

Extract from Hansard

[ASSEMBLY — Thursday, 28 June 2018]

p4189b-4198a

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

Mrs L.M. Harvey: You only gave us 15 minutes.

Ms R. SAFFIOTI: Maybe he could have asked a question. The opposition asked a question about bunting.

In relation to this, no assets are being transferred and no staff are being transferred. The member just said, "That's like land." With land, the asset is transferred.

Mr D.C. Nalder interjected.

Ms R. SAFFIOTI: Oh, jeez. Can you just listen?

Mr W.J. Johnston: Stop intimidating her!

Mrs L.M. Harvey interjected.

Ms R. SAFFIOTI: What was that?

Mrs L.M. Harvey: You don't look intimidated.

Ms R. SAFFIOTI: I do not look intimidated? There goes the member for Scarborough, who the other day said that if women feel intimidated, they should speak out: "I don't believe we should have a day where women can't say they are being intimidated." It is the two standards once again—the two standards that have existed from day one. Member for Churchlands, you are the worst of the lot. We have heard more about your past —

Point of Order

Mr S.K. L'ESTRANGE: The minister is impugning what I am thinking or feeling, when I am sitting in my chair, saying nothing. I ask her to be called to order.

The ACTING SPEAKER (Mr I.C. Blayney): Thank you.

Debate Resumed

Ms R. SAFFIOTI: He was looking at me intently!

Let us go through this. I do not know what members opposite think Landgate does. Do people know what they can currently access at Landgate? Do people actually understand what they can currently go and do a search on? That will stay the same. They can go, put in their credit card details, get some Landgate searches and see who bought the Pelago apartments, for example, member for Warren–Blackwood. They can see the connection between the Nationals WA and the people who bought the Pelago apartments.

The same access will remain. The member for Warren–Blackwood and the opposition are worried about privacy. Who gave the intellectual property of Landgate to Advara without a tender process? Who did that? Yes, they did. Who contracted out the IT system so that third parties can have access to that data for a very long time, through the IT system? This is just an elaborate scare campaign. I have to say that they are very good at it; Darling Range showed me that. A lot of people learnt lessons at the weekend—that the opposition hides the Leader of the Opposition when it counts and that it will say and do anything on the streets. It argued against the Byford rail line extension and went out there saying, "We're delivering Byford rail line; the Labor Party has pulled it." That is what it does. It says and does anything, and this is exactly the same case.

Point of Order

Dr M.D. NAHAN: This is a very important debate. We are going to stand down for six weeks and the government is going to go and pursue the privatisation of an asset. We have asked a question and the minister is evading it, talking about the Byford line and everything else. What is the relevance of what she is talking about? She is avoiding answering the question once again.

The ACTING SPEAKER (Mr I.C. Blayney): There is no point of order, but I will ask the minister to stick to the subject of the debate.

Debate Resumed

Ms R. SAFFIOTI: The member for Scarborough was allowed to go off-script. The member for Scarborough was allowed to go into what the member for Cannington said in private members' time yesterday, so I am going through the key facts here.

The key facts are: we are not selling an asset. We are not selling control of the asset and staff are not transferring, number one. Number two, when it comes to what data is available, what can be searched for now? That is what will be able to be searched for later, and I think the —

Mr D.C. Nalder: What are you doing?

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

Ms R. SAFFIOTI: We are selling, we are commercialising —

Dr M.D. Nahan: Selling! Gotcha!

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Ms R. SAFFIOTI: We are commercialising —

Several members interjected.

Mr D.C. Nalder: You've got to admit, he did get you!

Ms R. SAFFIOTI: No, I think I did not say something right.

We are commercialising a revenue base to the state.

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr D.C. Nalder: Capitalising.

Ms R. SAFFIOTI: We are commercialising —

Several members interjected.

Point of Order

Dr A.D. BUTI: Mr Acting Speaker, you made a previous ruling that we heard that side in relative silence.

The ACTING SPEAKER (Mr I.C. Blayney): I know. Unfortunately, the minister does keep addressing questions to the other side of the house, and members opposite are responding to them.

Mr W.J. JOHNSTON: Further to the point of order, the minister on her feet is entitled to ask rhetorical questions. They do not invite an answer. There is a long history in this chamber that it does not matter what the member on their feet says, there is no obligation on any other member to do anything other than remain silent. Given that the opposition was heard in silence, the same should apply now.

The ACTING SPEAKER: Minister, direct your comments directly to me, thank you.

Debate Resumed

Ms R. SAFFIOTI: We are commercialising the revenue base. That is what we are doing. The revenue that currently goes to the state will now go to another party and that will be paid up-front.

Mr D.C. Nalder: What does “commercialising the revenue base” mean?

Ms R. SAFFIOTI: It means we are making a profit out of an activity.

Mr D.C. Nalder: But that's already happening.

Ms R. SAFFIOTI: We are getting it up-front.

Mr D.C. Nalder: So you're capitalising it.

Ms R. SAFFIOTI: No, we are not. We are just changing the timing of the payment. No, we are not capitalising it.

Several members interjected.

The ACTING SPEAKER: Members! I would appreciate silence for the rest of the minister's time, thank you.

Ms R. SAFFIOTI: We are commercialising the revenue base. The revenue that the state currently generates will now be paid to the state in one transaction; that is what we are doing.

Mr D.C. Nalder interjected.

Ms R. SAFFIOTI: The member said we were privatising; now we are capitalising. What is he saying?

Point of Order

Ms A. SANDERSON: I request that the Acting Speaker even-handedly chair this debate. We have had continuous interjections from the other side.

The ACTING SPEAKER (Mr I.C. Blayney): Member, if you wish to move a motion of dissent from the Speaker, that is fine.

Mr W.J. Johnston interjected.

The ACTING SPEAKER: No, I am not really familiar with what she asked in that situation. That is not a point of order.

Extract from Hansard

[ASSEMBLY — Thursday, 28 June 2018]

p4189b-4198a

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

Debate Resumed

Ms R. SAFFIOTI: Members opposite were saying we are privatising and now they are saying we are capitalising. What are they saying we are doing? I told them what we are doing. We are commercialising a revenue-generating activity.

Dr M.D. Nahan: You're selling the revenue stream up-front.

Ms R. SAFFIOTI: We are commercialising it. We are not selling a revenue stream, we are commercialising a revenue stream.

Several members interjected.

The ACTING SPEAKER: The next person who interjects, I will call. I just want to hear the minister out, in silence.

Ms R. SAFFIOTI: The assets are not being transferred, the control is not being transferred, the staff are not being transferred. We are getting an up-front payment for an ongoing revenue stream.

Mr D.C. Nalder interjected.

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

Ms R. SAFFIOTI: The member for Bateman needs to talk to the Leader of the Opposition, because he is saying something completely different. One is saying capitalising, one is saying contracting out and one is saying it is privatisation. We are bringing forward a revenue stream; that is what we are doing, and we are doing it to pay for a very important matter.

As I said with regard to the safeguards and the privacy issue, there will be safeguards in place. When the previous Minister for Lands created Advara and contracted out the IT systems, all those issues were taken care of then with regard to third parties having access to the registry. That is what we are doing. We are not privatising and we are not selling. We are commercialising a revenue base to the state.

MR B.S. WYATT (Victoria Park — Treasurer) [3.39 pm]: I rise to make some comments on this motion. I cannot help but reflect briefly on the fact that the very first question during question time from the Leader of the Opposition was about political bunting. He started his speech today by complaining; I wrote it down: "What safeguards? To whom? How?" He said we refused to tell him. He did not ask. He did not ask me a question at all; I have not been asked a question about Landgate, not one. The only question I was asked was one that I had to get my side to ask, because I have not had one question from the opposition. If the Leader of the Opposition is genuinely interested in these answers, he should ask a question about things other than political bunting, and he might start getting answers.

Already today there have been, I think, four different descriptions of what is actually happening: commercialisation, outsourcing, privatisation and capitalisation. It is an interesting debate, and I suspect that no matter what happens at the end of it, opposition members will continue to argue amongst themselves about what it is and we will continue to say what it actually is—the commercialisation of that revenue base. I want to deal with something in particular. Landgate as an entity has been going through a huge period of innovation. For at least the last 15 years, Landgate has been using third-party providers—private sector providers—to do what it does. The Deputy Leader of the Opposition made the point, and I quote her, that she is worried about the information "currently held securely by Landgate". That will not change. That data is often provided by third-party providers. The member for Warren-Blackwood would know that more than anyone. Landgate is very good at this. That data will continue to be held securely by Landgate. I would say that there are three components to what Landgate does. It does spatial data work, evaluation work, and titling work. About 40 per cent of that titling and document registry work is currently automated.

Point of Order

Mr W.J. JOHNSTON: Mr Acting Speaker, I am confused. There is a man on his feet, and no-one is interjecting. There was a woman on her feet before, and the place was in uproar. What is going on?

The ACTING SPEAKER (Mr I.C. Blayney): The Speaker is being a bit stricter with the interjections, maybe.

Debate Resumed

Mr B.S. WYATT: About 40 per cent of that data is currently automated. The revenue source from that automation, for a range of activities, and I will go through some of those, is being commercialised—or, to borrow the word used by the member for Bateman, "capitalised". If that is what the member for Bateman wants to call it, I am not fussed. "Commercialised" is what I am calling it. That will effectively bring forward a revenue base that would otherwise be paid over that period. It is not particularly complicated. There will be an up-front payment—I will be

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honest with the member; I know what the retention value is, and I consider it is not above the retention value—and that will enable us to fund the important decision we have made to join the National Redress Scheme.

Mr D.T. Redman interjected.

Mr B.S. WYATT: That is right, and that is the work that has been done by Investec. Investec looked at a couple of different scenarios, including what we would say was the full privatisation of Landgate. We rejected that full privatisation model, which is the sort of New South Wales–South Australia model. New South Wales got itself into a bit of strife, because it effectively gave third parties exclusive access to the retailing of that data, and it wonders why the prices went up. It capped prices at the wholesale rate but did not cap prices at the retail rate, and the people of New South Wales have been skinned as a result. South Australia did not make that mistake. We will not be doing that. Landgate will still be the provider of that service, it is just that the revenue will effectively go to that third party over the term of the lease, licence, contract or whatever we want to call it.

I want to deal with one thing in particular. The Leader of the Opposition said that what Landgate does is very important to our economy and to the price of property et cetera. That is correct. However, I want to make it clear that the basis of the Torrens title system is that it is also a public register. That is one of the fundamentally incorrect parts of the Leader of the Opposition's motion for the suspension of standing orders. I will quote from the motion; it states, "its plan to sell the private and confidential data". I am sorry to tell the Leader of the Opposition's colleagues, but it is neither private nor confidential.

I recently did a range of searches on a range of hypothetical names. I could look at the property that the Leader of the Opposition owns in Shenton Park. I could look at the property that he owns in Willetton. I would know exactly how much he paid for them, exactly when he purchased them and exactly whether a mortgage or caveat is attached to them. Similarly with the member for North West Central who has raised these issues, I would know exactly when he purchased his not insignificant property in Mount Claremont, I would know exactly how much he paid for it, and I would know exactly who it is mortgaged to.

Mr R.S. LOVE: Mr Acting Speaker —

Mr B.S. WYATT: I might come to you, Mr Love.

Point of Order

Mr R.S. LOVE: Mr Acting Speaker, we did have a ruling before from the Speaker that it is not appropriate to highlight where members may have property, and the Treasurer has just done that.

Mr B.S. Wyatt: I did not say where anyone lives.

The ACTING SPEAKER (Mr I.C. Blayney): Thank you, member for Moore; and I would ask you, Treasurer, to reflect on that previous ruling.

Debate Resumed

Mr B.S. WYATT: Mr Acting Speaker, I have not referenced where anybody lives, and I do not intend to. But I am happy, and it is perfectly within any member of Parliament's entitlement, to refer to public data—as the person sitting to the member's right did just recently in respect of that committee report.

I go to the member for Moore. He owns a range of properties. This is all public data. One of the key points of the Torrens system is that it is a publicly accessible database. I could do a title search on any member, and they could do a title search on me. It would cost about 25 bucks.

Generally, most people come across Landgate at the point of a transaction when they buy or sell a property. That is, on average, once every seven years. The average Western Australian will still do that and will still be paying those fees. There will be no difference to anything that they see or interact with. The key point is that the commercialisation of this particular revenue source will enable us to do something very important—that is, fund our very important commitment to the National Redress Scheme. There is nothing surreptitious about this. I suspect that if opposition members were genuinely concerned about this, they would, as their very first questions, have come into this place and asked me, the Premier and the Minister for Lands all about it, not come in here and ask about the political bunting used by the Labor Party at the recent by-election. To me, that highlights either appalling judgement from the Leader of the Opposition, or the fact that he is trying to make a political point out of something that he knows is not a big deal.

Division

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

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p4189b-4198a

Dr Mike Nahan; Mr David Templeman; Mr Terry Redman; Mrs Liza Harvey; Ms Rita Saffioti; Mr Sean L'Estrange; Mr Bill Johnston; Amber-Jade Sanderson; Mr Ben Wyatt

Ayes (14)

Mr I.C. Blayney
Mrs L.M. Harvey
Dr D.J. Honey
Mr Z.R.F. Kirkup

Mr A. Krsticevic
Mr S.K. L'Estrange
Mr R.S. Love
Mr W.R. Marmion

Mr J.E. McGrath
Dr M.D. Nahan
Mr D.C. Nalder
Mr D.T. Redman

Mr P.J. Rundle
Ms L. Mettam (*Teller*)

Noes (35)

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

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

Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Ms M.M. Quirk
Mrs M.H. Roberts
Ms C.M. Rowe
Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw

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

Pairs

Mr P. Katsambanis
Mr K. O'Donnell
Ms M.J. Davies
Mr V.A. Catania

Mr J.R. Quigley
Mr D.T. Punch
Ms J. Farrer
Mr Y. Mubarakai

Question thus negatived.