

Extract from Hansard

[ASSEMBLY — Tuesday, 6 November 2018]

p7824g-7837a

Speaker; Mrs Liza Harvey; Dr Mike Nahan; Mr Dean Nalder; Ms Rita Saffioti; Mr Chris Tallentire; Mr Terry Healy; Mr Bill Johnston; Mr Sean L'Estrange; Mr Vincent Catania; Mr Bill Marmion

METRONET — TRANSPARENCY AND DISCLOSURE

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the Deputy Leader of the Opposition seeking to debate a matter of public interest.

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

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [2.59 pm]: I move —

That this house condemns the Minister for Transport for a lack of transparency and a failure to deliver continuous disclosure on Metronet major projects as recommended by the Langouland inquiry and subsequently adopted by the McGowan government.

The opposition raises this matter of public interest today not, as the Minister for Transport loves to assert, because we hate Metronet projects or passenger rail projects but because we take issue with the way in which the minister manages transparency and engagement with the community on this project. This minister has put out a plethora of media releases on Metronet projects. The media releases started very early on in the piece after Labor won the election in March 2017. There was an announcement about a specialist team to drive the Metronet vision, with the first stage including completion of the Forrestfield–Airport Link by the end of 2020. There was a joint media statement around tunnelling beginning for the rail link to the airport and the foothills—a major milestone in July 2017. There was a naming competition for the tunnel-boring machines, which the minister went out and announced. One is named *Grace* after a local schoolgirl undergoing treatment for leukaemia; the second one is named *Sandy*. Back in July 2017, it was announced that *Sandy* was to be working underground in September. In that media release the minister announced —

International tunnelling experts will train local employees throughout the project, so by the time the rail link is built, WA will have a local workforce capable of delivering future tunnel projects.

We had a Metronet construction briefing announcement in September 2017. There was a community engagement piece around the renaming of Belmont train station to Redcliffe station. That was announced on 4 December 2017 with great fanfare by the minister. She was going to jettison the previous government's name of Belmont train station and change it to Redcliffe station. There was a big media release and a media event at the time.

Around the budget in May 2018, a media release announced “METRONET Budget includes WA's biggest ever rail investment.” The minister talked about the \$1.9 billion Forrestfield–Airport Link remaining on track for completion by 2020. The media releases went on with headings like “Road realignment paves way for future Forrestfield METRONET precinct”, “Multi-deck car park for Forrestfield Station METRONET precinct” and “METRONET precincts to help shape the future of Perth”. For all of the positive announcements, the minister was out there with her hard hat—she probably has one with her name on it now—and a fluoro vest. She could be seen marching through the tunnel with a bevy of backbenchers and other people. She paraded around train stations. We saw it when the stadium train station opened. When it is good news, this minister is out there right in the middle of it, wanting to claim Metronet and saying, “This is a great project. Our government is managing this project. We are proudly branding it Metronet. It's our first Metronet rail link.” When everything is going fine, it is a government Metronet project, but when problems start to occur with the management of this project, this minister, who has been managing it now for 19 months, points the finger at the Liberal–National government.

About a month ago, all of a sudden we found out the reason everything is going wrong with this project—the minister does not have the project definition plan from the former government. It is the opposition's fault for not releasing one document! The media is not letting the minister get away with this, and neither should it. The minister cannot turn to the PDP and say, “If I had that document, I'd actually be able to manage this project properly.” I can recall from cabinet discussions some of the content of the project definition plan and other documents to do with this project, which were discussed by and brought to the attention of cabinet. There were significant issues. Significant engagement was undertaken by the Public Transport Authority. There was stakeholder engagement with Perth Airport. As I understand it, there were security meetings with Perth Airport about how to manage the tunnelling project and its relationship to Perth Airport infrastructure and operations. I understand that emergency management plans needed to be put together. There were extensive geotechnical investigations. These reports would be available to the PTA; the PTA commissioned them. There was one significant one by GHD. I recall that at that time, there was reference to over 40 geotechnical reports around this airport project. There was a reason for that. We knew there were variable subsurface formations that the tunnelling project would need to go through. There is a high water table. Once again, the proximity to

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other infrastructure needed to be managed. I remember conversations around bore-water testing. Soil samples were sent to the lab. As I recall, there are lots of different sand types there. There is Swan River alluvium and sandy alluvium. There is an Ascot formation. It was known that tunnelling was to occur through acid sulphate soils. We know that acid sulphate soils are prone to sinkholes, air bubbles and other such things when the ground is disturbed. The PTA would be fully aware of the requirement to engage with the Department of Environment Regulation around the disposal of that soil. If acid sulphate soil is exposed, I understand that lime needs to be applied to it to counter the acidity, so that when it is disposed of, it does not cause a further problem. There were also some ancient riverbeds or something running through the project. The complexity of tunnelling through that particular collection of subsoil formations was known. Over 40 geotechnical studies had taken place. The PTA would have access to all those studies, as did, as I recall, the proponents to the tender process. It was very important that the proponents—the people who were going to be performing this tunnelling project—had all the information available to them so that they could have a risk mitigation strategy in place. They needed to ensure that in the event they encountered particular soil formations and adverse outcomes occurred, there was a contingency for that written into the contract. I understand that that is what occurred.

This minister will only be flushed out by the media when there is a problem. Whenever she is flushed out by the media and others—the Construction, Forestry, Maritime, Mining and Energy Union and complaints from workers and those sorts of things—the blame then gets thrown back to the former Liberal–National government and the opposition for not releasing one document to her. All the documentation she needs is with the PTA. After managing a project for 19 months, the minister cannot suddenly come in and say that she is responsible for all the good things that are happening here—renaming this station and that station, naming the tunnel-boring machines and making progress reports on where those tunnel-boring machines are up to—and then be missing in action when it comes to serious issues like a sinkhole on Dundas Road, a road which had only just been realigned and reopened less than a month previously. The minister cannot be missing in action on those issues.

Another issue we raised earlier this year is that when the minister and Premier went out to announce some milestone with the tunnel-boring machines, they knew full well that two weeks earlier the machines had been stopped because of a water seepage issue. They did not make any mention to the media at the time of the TBMs having stopped. It took six months of waiting for this minister's office to respond through freedom of information requests for us to get the information that the minister and Premier were fully aware that on the day they went out to announce the milestone with the TBMs, the machines had actually been stopped for several weeks. But they were not talking about that when they were in their fluorescent vests and their hard hats with their names on them. They remained silent on that. That is why we have raised this issue as a matter of public interest. The minister cannot have just the good news. When a minister is in the hot seat on the government benches, they also have to own the bad news when they are managing a project, and when it goes belly up, it is the minister's responsibility. We are here to hold the minister to account for managing this project appropriately. As the member for Cottesloe raised earlier today, if the minister was working in the private sector and she got 19 months into a project and said, "Actually, the reason this project is not working and is going belly up is that the bloke who was in charge 19 months ago did not do a good job", she would be sacked. That is not a good enough excuse. She has to take responsibility, and we are here to make sure she does that.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.10 pm]: This government came to power 18 months ago claiming to have a gold-standard level of accountability. When government members were in opposition, they criticised us very extensively for having inadequate business cases, inadequate transparency and inadequate project definition plans. Their whingeing and whining on that was successful; it contributed to their win and our loss. They then hired John Langoulant to do a thorough review of not only certain projects that they had identified that they wanted reviewed, but also the standards. Basically, amongst other things, he reinforced the need for the strategic asset management framework upon which Treasury and other government bodies assess major projects.

We knew from the start that none of the Metronet projects had a business case, so the government has spent most of its first year and a half developing business cases. When the government was asked about the business cases, it said that it did not need them as these were election commitments. The government says that when it makes election commitments, it does not need business cases and it is going to do them no matter what. That is a fundamental contradiction of the whole way of planning put out by Langoulant. Nonetheless, the government has developed some business cases for the Yanchep and Cockburn–Thornlie lines. They have been submitted to Infrastructure Australia. We asked for the business plans for the Yanchep and Thornlie–Cockburn lines. I will put this in context. For about a year, every time there was a problem with the Forrestfield–Airport Link, the Minister for Transport said that the opposition had refused to give her the business case and therefore she could not manage

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the project properly, despite going from the business case to the project definition statement to the tender, which she of course has and is supposedly managing. We asked the government for the business cases and it refused. They are with Infrastructure Australia, so we will get them eventually, because Infrastructure Australia will put them online, but right now we are not allowed access to them. All this braying by the minister about the opposition's failure to give a business plan for the tender that she is now supposedly managing is a joke.

The minister did provide the project definition plan for the Yanchep and Cockburn–Thornlie lines. She understands that the media do not understand the strategic management framework, and she is playing on that ignorance. The project definition plan is not a simple document. As part of the strategic asset management framework, a business plan is done first. It is a very detailed statement about the options, costs and benefits, routes and other issues of a major investment. Once cabinet decides to undertake the project, and to undertake a specific option explored by the business plan, Treasury and others do a project definition statement, which is detailed, supposedly, according to the material. I encourage everybody to go to the government of Western Australia's Department of Treasury strategic asset management framework and project definition plan and see what they are supposed to be. The document that the government has provided us is more like an election statement, not a planning statement.

Mr W.R. Marmion: A glossy brochure.

Dr M.D. NAHAN: It is a glossy brochure that does not come within cooe of meeting any aspect of a project definition plan. For instance, according to Treasury, the scope of a project definition plan includes a clear asset definition package; detailed functional requirements; design criteria, standards and layout; and an initial technical description. There is none of that in here. It is supposed to have a breakdown of all the costs associated with the project. There is none. All it says is that in the last budget the government allocated \$520 million for the project and it will be funded by the commonwealth and the state—that is it. It does have the statement that the cost–benefit ratio is 2.6 per cent, going to 3.4 per cent over time. That is all it says. We cannot check that out. I think that is hallucinogenic. Nonetheless, that is the project definition statement. It is a bold statement.

In terms of the design of the stadium, government members kept saying that they were preliminary statements and that it was an issue for inquiry.

There is no right of way or environmental assessments. On the indicative route, the plan does not say anything about how much land will be purchased, what property will be adjusted or whether there are any technical risks associated with the soil, because apparently there is a channel. It does not say what the government is going to do with the Bush Forever site. It does not say anything about water or the risks of the soil that the line is going through. All it has is a thick line on a map going from here to here and it says that the government is thinking about it.

The project definition plan is the final stage before going to tender. It is not a conceptual document; according to the strategic asset management framework, it is the final stage before going to tender. The government is not even close to tender. It could not get an indicative cost of this. I think the government has the document. I think it is playing politics with the whole thing, as usual, to avoid transparency. It has a business case. I do not know what quality it is; I doubt that it is high quality. I bet the government is doing a project definition plan right now. The government gave us a fake document cobbled together simply to placate us that it has some sort of commitment to transparency, but it has achieved exactly the opposite. If this is the government's project definition statement, it is on a route to two disasters with these rail lines, because a whole raft of issues have been skipped over, avoided and not dealt with in this project definition plan. I will give a good example. All the environmental statement says is that the government will try to minimise the impact on the environment; it recognises that it is going through a Bush Forever site and it will do its best. The biggest contribution by this rail line to the environment is that it will take cars off the road. Imagine if the project definition statement that we put forward for the Forrestfield–Airport Link was as vacuous as that.

Ms R. Saffioti: We don't know if it is.

Dr MD. NAHAN: The minister has in front of her a tender upon which the project definition statement was based. She should sit down and read it. When she goes off on her junket this week, she should take the tender document, read it, see what the risks and the investments were and look at the geo-surveys that were done and included in the project definition statement.

Ms S. Winton interjected.

The SPEAKER: Member for Wanneroo!

Dr M.D. NAHAN: The minister has not done anything here. We have in front of us a project definition statement that is supposed to be a detailed assessment of the costs, the risks, the structures and the design criteria of a rail line from Butler to Yanchep, but it deals with none of it. The truth is that this is no project definition plan at all. It

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is either a con job to us or a plan for a disaster in Yanchep. I might add that the Thornlie–Cockburn Link is equally vacuous. That is the hallmark of this government. The Labor Party likes to talk and whinge. Its members are professional whingers. We saw them; they were experts at it in opposition and the problem is that they have the reins of government and all they can do now is whinge. Do members know that they cannot whinge their way through government? They can, but they will have only one term in government. If this is the government's project definition plan, we are on the pathway to a disaster in Metronet—no doubt about it.

MR D.C. NALDER (Bateman) [3.21 pm]: Today we heard our two speakers talk about the government's deflection and management of perceptions in the community, rather than the operational reality of what the government should be undertaking for a serious infrastructure investment for Western Australia. Particularly from the Minister for Transport, we have seen a total deflection of the issues of the day. From the Deputy Leader of the Opposition we heard the arguments about the business case. The other point that we have heard the Minister for Transport talk about in the last couple of weeks is that all of a sudden the design of the contract with the company undertaking the works is not good enough for it to have operational management. Again, this is perception management and deflection of the ongoing issues of the day. Let me explain why.

If we look at a business case in which we talk about the financial metrics, the patronage of the line and the strategic importance of undertaking the project, none of these things assist in the ongoing day-to-day operational management of the project. If the Minister for Transport wants to talk about the quality of the soils under there, she might also understand that a lot of the geotechnical work that went into that plan occurred post the business case. Here the minister is talking about the government needing the business case and the previous government not putting it out there so it was not transparent. The reality is that the reason the previous government is not releasing the business case has nothing to do with the ongoing operational management of the project. It is more to do with other issues to do with the release of information from cabinet-in-confidence documents. We want to know what this Minister for Transport is doing on a day-to-day basis to ensure that the issues that are occurring on the project are dealt with and fixed, not deferred and the minister to say, "Well, you weren't transparent and, therefore, we cannot be transparent" or something along those lines. It is a bit confusing; the Minister for Transport totally deflects from the arguments of the day.

We look at this existing contract and the Minister for Transport is making the argument that a design and construct contract is not an appropriate contract. Where in the design and construct contract does it refer to a company that can override the occupational safety and health laws of this country? Where would that exist in a design and construct contract? It would not. It does not. It cannot override those laws. We are seeing activity from the Minister for Transport designed to deflect from the ongoing operational issues with this project. Issues occur on a project of this size. There is no question of that. We have no issue with the fact that problems will arise. However, in any business we undertake, often it is not the issue that undermines the credibility of what is occurring but how we handle the issue. That is what we have issues with here. It is not the issue that has occurred per se, but the way that the minister has handled it. We are disclosing here that the minister tries to mount arguments on this project that have nothing to do with the ongoing issues with the construction of the Forrestfield–Airport Link. We are bringing that to the surface to highlight.

Let me talk a bit about a couple of other things that go on with this project. When we first heard about toxic soils and it first broke in the press, we saw that this would break the budget of the project. This is what really intrigued me, because I know that the contract costs for this budget came in at less than \$1 billion when we had a budget of \$2 billion for the project. As part of finalising that contract, we put through an upgrade of Forrestfield station, which pushed it just above \$1 billion. In the project we took out the running stock as part of an extra order of B-series trains and we dropped the budget down from \$2 billion to \$1.86 billion. If we look at the contract costs and add on standard contingencies and project management costs, we get a total project cost of towards \$1.35 billion. The budgeted amount is \$1.86 billion. The immediate question I had when I read this article was: where has the \$510 million gone? By the end of that day, we heard the Minister for Transport saying that the budget would not be blown. This is where it is interesting, because I do not understand how the changes in design that this government is putting through—such as building high-rise car parking, upgrading signalling, upgrading Bayswater station and maybe creating a turnaround at Claremont station—will be funded. Will they now be funded by the Forrestfield–Airport line? Will these additional projects now be funded? These are the questions. One minute the budget is going to be blown, and then it is not. If the budget is not blown, this \$500 million must be utilised somewhere else. However, we have not heard that from the Minister for Transport. Again, there is no transparency and a total deflection of the underlying issues and how the government is handling those issues.

To continually hear that the borers have stopped after the event and to find out about sinkholes after the event is not acceptable, minister. It is not acceptable in this Parliament and it is not acceptable to the broader community. When we talk about Labor claiming this project, it re-badged it Metronet. It said it was theirs because it always intended to take this project to Forrestfield. What is interesting is that its project ran down Tonkin Highway and

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came in at Horrie Miller Drive and stopped one kilometre away from the airport. What was fascinating is that the estimated cost for this project, because of the additional lines and other things, and disruptions and everything else that went on, was greater than the Forrestfield–Airport line cost. That is fascinating from the current government.

As the Deputy Leader said—I am just reiterating—all the communication we have heard over the life of this project to date has been all fluff and has nothing to do with the operational management of this project. We are calling on the Minister for Transport to live by the promise that this government made to the community of Western Australia to set a new gold standard and a gold-plated level of transparency, because to date we have not seen it on this project and the people of Western Australia have a right to ask for more. We have a right to ask for more. The business case will add no value to the ongoing operational management of this project, and the Minister for Transport knows it. She is using it as a total deflection from managing the ongoing issues. The company has responsibilities under the laws of Western Australia and Australia around occupational safety and the health of its employees and there is no excuse for trying to use a contract as a basis for problems on this project.

We call on the minister to acknowledge that the arguments that she has mounted around the business case and the contract have been to deflect and to shift the focus from the operational management of the project. She needs to restore the confidence of Parliament and the people of Western Australia that this government is on top of the issues and that it will ensure that issues are rectified in a timely, appropriate and transparent manner.

MS R. SAFFIOTI (West Swan — Minister for Transport) [3.29 pm]: I thank the opposition for the matter of public interest and for the ability to debate the issue on hand. I think today we saw the demonstration of a divided, confused opposition. To start with, I will go through the definition of a project definition plan and what members opposite all said. The member for Scarborough said she remembered the PDP going through cabinet. Government members all heard that, did they not—that is, the member for Scarborough saying, “I remember the PDP going through cabinet”? She said it had all these things in it—the geotech advice, the fact that there were different types of soils there.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough, the government listened in silence to your contribution to the MPI. I want the same on this side, please.

Ms R. SAFFIOTI: She said that the business case then went through. The member for Scarborough said that PDP, which the opposition is refusing to release, had all the geotech data in it—all the types of formations, the types of sands, the Ascot formation. Then, the member for Bateman said that the geotech work was done after the business case was submitted and prepared. Opposition members fundamentally contradict themselves in the whole argument. The member for Scarborough said that the PDP came with all this advice—“I remember it; I remember the Ascot formation.” The member for Scarborough remembers four years ago reading a PDP mentioning the Ascot formation; that is what she said she did. Otherwise, she has a copy of the PDP there.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough!

Ms R. SAFFIOTI: The member for Scarborough said she remembered reading the PDP and it referred to types of sand, the Ascot formation and the other formations—all this detail. Then, the member for Bateman said that that the PDP was done before the geotech.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: Then, the Leader of the Opposition said how fundamental the PDP, the stage 4 business case, is to the whole project—how fundamental it is. He said it is fundamental to understanding the project and then he will not release the PDP for the Forrestfield–Airport Link. He said that the information is not necessary to manage the contract, even though —

Dr M.D. Nahan: You released a fraud.

Withdrawal of Remark

The SPEAKER: Leader of the Opposition, you will withdraw that remark.

Dr M.D. NAHAN: I withdraw.

Debate Resumed

Dr M.D. Nahan: Fake!

The SPEAKER: Leader of the Opposition, when you withdraw, you do not add comments. I call you to order for the first time.

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Ms R. SAFFIOTI: The member for Scarborough, apparently, can remember the words “Ascot formation” in the PDP from four years ago. The member for Bateman said the PDP did not have reference to the geotech.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Ms R. SAFFIOTI: Then, the Leader of the Opposition said how absolutely fundamental these PDPs are in managing projects, but that he would not release it to the current government. That is the complete chaos and division on the other side. The member for Scarborough said that cabinet was aware of everything—the significant issues with Perth Airport, the emergency management plans and the extensive geotech reports. Why did she not tell anyone about them? I will go to what the former government released—its glossy 24-page project definition brochure.

Mr R.H. Cook: Does it mention the Ascot mound?

Ms R. SAFFIOTI: It does not mention the Ascot formation. Opposition members went through things and then said that I am not answering questions. I have made 19 appearances since 22 September. I called a press conference to outline what happened on 22 September. I took all questions. I came in here and made a statement. Every step of the way I have been very clear about what is happening with this project. The member for Scarborough wants me to cancel the project, to cancel the contract, and to leave the tunnel-boring machines, which we do not own, underground—just to leave them there. What do we do? They cannot be reversed out. Do we just leave two massive holes with no project? That is what the member for Scarborough wants us to do.

The Leader of the Opposition went through PDPs and the business case. We have gone through the most thorough process.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Mr T. Healy interjected.

The SPEAKER: Member, you have your own member on her feet.

Ms R. SAFFIOTI: We have gone through the most thorough process ever. We are dealing with Infrastructure Australia—stage 1, stage 2, stage 3, stage 4. The opposition has the order of the business case wrong; it does not understand what they are. Stage 1 is the identification of the problem, stage 2 is identifying the options and stages 3 to 4 are in the project definition plan. The opposition does not even know the process.

Let us go through the tunnel, because I take offence at some of the comments made today. I have always said this is a challenging project. What does the former government’s glossy project definition brochure say about the tunnel? It says that the tunnel will deliver a range of benefits, including —

- reduced disruption to road users during construction and operation;
- reduced ongoing maintenance costs;
- greater safety through improved emergency access in the event of an incident;
- less impact on adjacent properties during construction and operation;
- less impact on property values for properties located near the rail lines;
- greater visual appeal and less impact on amenity; and
- better environmental outcomes including less drawdown on the water table ...

They are what the former government said were the benefits of the tunnel. It never highlighted the risks. We still do not have a copy of the full PDP. Perth Airport released a section of the PDP that went through all the risks when the project was announced. Let us go through it.

The SPEAKER: Members, if you want to have a meeting, go outside.

Ms R. SAFFIOTI: On 18 February 2016 the then Minister for Transport said —

Today I was pleased to announce the joint venture comprising Salini Impregilo and NRW ... as the preferred proponent for the project.

...

As I was saying, only one group of people has been unhappy with this announcement today, and that is members opposite.

The then minister went on to say that tunnelling was easy in WA; that is what he said. I quote —

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Mr Nalder said the cost of tunnelling was falling rapidly at the same time as its sophistication was growing and Perth's sandy soils were particularly suited to the technology.

The former Premier said —

“If you look at Perth as it is on the Swan coastal plain, there's not a lot of granite underneath. It's basically sand and a bit of limestone and coffee rock, so it's very easy to tunnel here,” ...

On 21 May 2015 he said —

“We are a coastal sand plain so tunnelling under Perth is very easy, you are not going through rock you are going through sand, so that is an option,” ...

The former government said how easy tunnelling was. That is what it did. It just kept going. Again, in 2017 the former Premier, Barnett, said that tunnelling was an easy thing to do. When the former government announced the project, it never said that tunnelling was difficult and that there were challenges and risks. It never said that; it said the opposite. It said it was easy. The former government went for the second rated quality group and it never explained it to the public. Let us go through that.

I turn to design and construct contracts versus alliance contracts, which is an interesting discussion about contracting methodology. As minister, I believe that when there are significant risks with the project, alliance contracting is the way to go, because the project is able to be shared and controlled in a much more effective manner. That is what the former government did not do.

I turn to safety. WorkSafe was first on the site when the former government was in power and it did not inform the public. Again and again, we are doing everything we can to manage this contract effectively.

I turn to the budget. The former minister said that the PFAS issue blew up after the former government lost power. The member for Bateman said that he did not know about the PFAS issue before the change of government. That is what he said. He said that the PFAS issue blew up after the change of government. He was told about PFAS before the change of government. He knew about the PFAS risk.

Mr D.C. Nalder: I did not say that.

Ms R. SAFFIOTI: The member did, because he said there was a big budget —

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Ms R. SAFFIOTI: The Leader of the Opposition's complete obsession with hatred is amazing. The member for Bateman said that he had a budget.

Mr D.C. Nalder interjected.

Ms R. SAFFIOTI: I just heard the member. I just listened.

The SPEAKER: Member for Bateman, it is not a discussion. You had your chance to speak and we listened.

Ms R. SAFFIOTI: The member for Bateman raised all this issues and he wants me to respond. Does he not want me to respond to the issues that he raised?

Mr D.C. Nalder: I have just been told to be quiet.

Ms R. SAFFIOTI: Okay; so you raise the issues, and I respond. You said the PFAS issue blew up after government.

Mr D.C. Nalder: Prove it!

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

Ms R. SAFFIOTI: You said it blew up after government—there were a lot of contingencies, and it blew up after government. The member was told about PFAS, and he never actually warned anyone about it.

In relation to the operations of the line, the opposition said we put a turnback facility at Claremont. We wanted to make the Forrestfield Airport Link project work. The former government did not understand the operating requirements of the project. When we won government, one of the first challenges was to understand the operating requirements of the project. That involved looking at turnback facilities. The former government did not do that. The opposition said we have inserted things like signalling. I cannot believe the former government did not have signalling in its original budget. It is an extravagance, I know, to have a turnback facility and signalling!

Mrs A.K. Hayden interjected.

Extract from Hansard

[ASSEMBLY — Tuesday, 6 November 2018]

p7824g-7837a

Speaker; Mrs Liza Harvey; Dr Mike Nahan; Mr Dean Nalder; Ms Rita Saffioti; Mr Chris Tallentire; Mr Terry Healy; Mr Bill Johnston; Mr Sean L'Estrange; Mr Vincent Catania; Mr Bill Marmion

The SPEAKER: Member for Darling Range, it was very quiet in question time today. Keep it that way.

Ms R. SAFFIOTI: It is a pity—there were a couple of good questions that the member for Darling Range would have enjoyed.

We are making sure we can provide for and deal with the PFAS issue. I will be raising that again with the federal transport minister this week, as I have in the past with former federal transport ministers. Of course we want to make sure that we can deal with all the issues.

The member for Scarborough talked about my hard hat with my name on it. Unfortunately, I do not have one. The last time I did have one, it had the gold tax on it—I think it was a gift from the gold industry a while ago during the gold tax debate. I have not put that one on for a while. It is in the cupboard and I have not worn it since.

Mr R.H. Cook: Problematic!

Ms R. SAFFIOTI: Yes, problematic!

The opposition has put out that I am just about the good news. Honestly! The people sitting alongside the Leader of the Opposition think I am just out for the good news. They think I am not talking about some of the real issues that are out there.

Several members interjected.

Ms R. SAFFIOTI: Yes, that is right—I am not taking the issues seriously!

Several members interjected.

The SPEAKER: Members! Members on this side of the house put a whole lot of questions to the minister and probably attacked the minister. The minister has the right to have a go back at you, but you do not seem to want that to happen.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Excuse me! I am on my feet. I call you to order for the first time, member for Dawesville. Let us have a proper debate. You have had your say. Let the minister have her say.

Ms R. SAFFIOTI: The member for Scarborough's contribution was reading out a series of media statements and press releases. She talked about how we had handed over the project definition plan in the chamber. It had actually been on the internet for two months. That is how good the opposition is at research. The new document that it claimed we have just tabled has been on the net for about two months, and the opposition is going around saying it got something tabled. We put it on the net a couple of months ago, without the opposition asking for it.

Let us go to my understanding of why the Leader of the Opposition will not release the PDP for the Forrestfield–Airport Link. We heard from the member for Scarborough that it contains all the geotechnical information. The Leader of the Opposition said that it is fundamental to the future of that project. The member for Bateman said it does not actually have the geotech stuff in it because they did the geotech analysis after they did —

Mr D.C. Nalder interjected.

The SPEAKER: Go on, minister.

Ms R. SAFFIOTI: We wrote to the Leader of the Opposition in June last year and said, “We won government, and we know you're not happy about it, but can we please have access to the documents?” The Leader of the Opposition said it is attached to cabinet documents, and we cannot have access. I have written to the opposition again, asking for access; and, again, we have not heard anything, but we would hope that the opposition would release that document.

Mr R.H. Cook: In the interests of taxpayers.

Ms R. SAFFIOTI: We would hope, in the interests of taxpayers, that it would release that document.

Dr M.D. Nahan: Release your business case for the Yanchep line! Release it!

The SPEAKER: Minister, just keep going.

Dr M.D. Nahan: Release it!

The SPEAKER: Leader of the Opposition!

Ms R. SAFFIOTI: The Leader of the Opposition has a glass jaw. He says awful things about everybody. Soon he will be walking out, because he cannot cop it. He sits there having a go and saying awful things —

Several members interjected.

Ms R. SAFFIOTI: You cannot handle me, can you? You say the worst things to me!

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Several members interjected.

The SPEAKER: Members, please! You had your go. You might not like what the minister is saying, but she probably did not like some of the things you said.

Ms R. SAFFIOTI: The Leader of the Opposition says awful things about me all the time.

Point of Order

Mr S.K. L'ESTRANGE: Under standing order 92, the minister is making an imputation on the motives of the Leader of the Opposition, which is out of order.

The SPEAKER: It is not a point of order.

Debate Resumed

Ms R. SAFFIOTI: The Leader of the Opposition does not like the fact that I grew up in an Italian household and I am here today debating —

Several members interjected.

Ms R. SAFFIOTI: You do not like that. I know you do not like that.

Point of Order

Mr S.K. L'ESTRANGE: Now we have the race card.

The SPEAKER: I suggest, leader of opposition business, that you look up the actual wording. “Imputation” is a very serious thing to say, and you use it quite often. If you keep using it and it is not in the proper way, I will call you to order.

Debate Resumed

Ms R. SAFFIOTI: I remember what the Leader of the Opposition said in this chamber, because he cannot handle me. He said, “Go and stick with your kind.” That is what he said. When I was debating the Italian language program, he said, “Go and stick with your kind.”

Let us go through it. The opposition released nothing and hid all the key issues, and now it comes in here and talks about transparency. Let us go to the Langoulant recommendations, too, because that is where the MPI started. The Langoulant report called for the establishment of a steering committee for major projects such as Metronet. That is what we are doing. It recommended that we extend the powers of the Auditor General to enable access to cabinet documents. We understand that that is happening. It recommended also that the Expenditure Review Committee regularly review major projects. Yes, that is happening. Through the ERC process, there is a regular update on Metronet. In respect to the transparency framework, that is being developed with the Treasurer and the Department of the Premier and Cabinet. We are implementing the Langoulant report. I have been open and transparent about this project.

The opposition talked about claims against the previous government. It has now said that we should cancel the project. When members opposite read through the PDP, do they remember the Ascot formation? Did they ever see that we cannot just stop tunnelling at any time under runways—we need to make sure that the tunnel boring machines keep operating? Did that ever appear in the PDP? Members will remember the Ascot formation. Did the PDP tell them about the challenges of tunnelling? No.

The MPI was a collection of media statements; a collection of the hatreds of the Leader of the Opposition; and the member for Bateman trying to protect his legacy. The MPI today was the member for Scarborough reading a collection of media statements; and it was the Leader of the Opposition, who cannot hide his hatred for me. He comes in here every day, hatred, hatred, hatred.

Several members interjected.

The SPEAKER: Members!

Ms R. SAFFIOTI: It was also the member for Bateman protecting his legacy and saying, “What are you doing with that money, because I squirrelled some away? I did not fund the turnback, I did not fund the railcars and I did not fund the signalling, but what are you doing with that money?”

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Ms R. SAFFIOTI: This has been an interesting debate. Many of my colleagues want to make some key points, so I will let them stand and make them.

MR C.J. TALLENTIRE (Thornlie — Parliamentary Secretary) [3.48 pm]: I rise to strongly oppose the terms of this matter of public interest. I begin by saying that when it comes to transparency and to openness and community

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engagement around the Metronet project, we could not have a higher standard. In comparison with what we saw during the Barnett years, we have a total reversal. We had a job to do to get it entrenched into the minds of senior public servants that under the McGowan Labor government, community engagement and transparency are essential features of the way we operate. I will not go much into the Forrestfield Airport Link, because that is not my speciality. However, with the Thornlie–Cockburn line, we have had nothing but top-class community engagement. Last December there was a series of meetings with community members and property owners whose properties adjoin the easement of the train rail line—bear in mind there will be a 14.5-kilometre line between Thornlie train station and Cockburn Central. The project will involve moving the 11 kilometres of freight line that occupies the easement corridor just a few metres northwards to create the additional space in the easement. That of course makes my constituents wonder whether there will be an improvement or deterioration in their quality of life. Will they hear more noise from trains? Will they suffer more vibration? Will their visual amenity be impacted upon? Last December it was made very clear by the lead team of the Public Transport Authority that everything would be done to ensure that noise factors would be less than are currently suffered. Vibration mats will be put in and visual amenity will be preserved by the construction of walls. There has been discussion about whether people want three-metre or four-metre high walls. There has also been discussion about eliminating siren noise. When trains go over level crossings they are legally obliged to sound a siren, even at 3.00 am. The level crossing will be removed, and a pedestrian bridge will be built at Elliott Place and Cameron Street, removing the necessity for the sounding of sirens. That has all come about because the community asked for it. The transparency has been absolutely exemplary.

People have wanted to engage in the discussion around the development of the land. What will be around the Nicholson Road train station? There is a rezoning project on the City of Canning side of things, the potential to have a huge car parking space on already government-owned land, and plenty of opportunity for other developments. Everything is in place for the uplift of land values that comes with a development such as this.

I and the members for Southern River and Jandakot have conducted information stalls with the community. That is another example of transparency. I am sure the member for Southern River will mention this in more detail, but we quite recently held a series of forums at Livingston Marketplace, The Vale Shopping Centre and Forest Lakes Forum on a Saturday morning to give community members the opportunity to come up to us and put forward their ideas and ask their questions, so that we could go to the minister and ask for an answer on any technical detail that they might be concerned about. There has already been a wonderful community engagement tool in the construction of the grade separation at Nicholson Road. People had been asking why that was being done for the freight trains. We were able to answer that it was for not only the freight trains, but also for the passenger trains when they arrive after the construction of the train line. Construction is committed to for 2019, so work is well underway and there has been a continuing series of community engagements. The PTA held another round of community consultation events in July and August this year. The number of media conversations and discussions at all kinds of events around the area make this one of the best consulted on projects we have seen.

Thornlie train station already has a sign at the end of it that says that the train line extension to Cockburn starts there. Anyone using that train station knows that this project is well underway. There have been handouts at the train station to provide more information. Transparency on this project has been second to none—absolutely exemplary—and I commend the minister for her work, and I will oppose this matter of public interest in the strongest terms.

MR T.J. HEALY (Southern River) [3.54 pm]: The Minister for Transport has said that this opposition hates Metronet, disclosure and transparency. After being condemned to the purgatory of opposition, the Liberal Party will still not release the business cases of its projects. During question time today the member for Nedlands put it succinctly: “You didn’t release yours, so why should we release ours?” The member for Nedlands simply does not understand the need to do that. The former government’s accountability and reputation on public transport in this state is abysmal. The opposition lied to the Thornlie electorate.

Several members interjected.

The SPEAKER: Member for Dawesville, I call you to order for the second time, and I call the member for Nedlands to order.

Mr T.J. HEALY: The former government lied to the electorates of Jandakot and Southern River about the Thornlie–Cockburn line for two elections. It lied about the Ellenbrook line. It lied to West Swan and Swan Hills during election after election. What is the secret? Do the business cases hide the horcrux that the former government is worried about that will finally show that the last vestige of its reputation on public transport will be gone? Why? Just release it.

I think I know why the former government will not release the business case. During my contribution on the Metronet bill I referred to an article of 14 April 2015. After \$3.6 million had been wasted, in 2013 the previous government sold a block of land connected to the Forrestfield–Airport Link for less than \$1 million. Fewer than three years later, this state government had to buy it back—\$3.6 million was wasted. If we ever get the chance to see this business case, there will be a bunch of drunken beer napkins and a mess of plans. It will show the former

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government's deficiencies. It will show that "fully funded, fully costed" is missing an f-word. I cannot say what that f-word is in this chamber, but fully funded, fully costed lacks that.

It was horrible to hear the member for Scarborough talking about acid sulphate soils and subsoil and ancient riverbeds as if she knew what those are. Premier Barnett spoke about how easy it was to tunnel through these things and how simple it was to work with sand, but their heads are in the sand. It did not listen or talk.

It is sad to debate this motley mix of muppets on public transport. I acknowledge that it is Melbourne Cup day —

Withdrawal of Remark

Mr S.K. L'ESTRANGE: Calling the opposition a "motley mob of muppets", is that appropriate, Mr Speaker?

The SPEAKER: No, it is not, and you will withdraw.

Mr T.J. HEALY: I withdraw that they are a motley mix of muppets.

The SPEAKER: No —

Mr T.J. HEALY: I withdraw.

The SPEAKER: Yes, and sit down. That is it. Next speaker, please. You do not disrespect the Chair like that.

Debate Resumed

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [3.57 pm]: I am not surprised that the member for Southern River is passionate about this, because people in the south east corridor were treated appallingly by the former Liberal government. I remember the former member for Southern River going to the people and saying, "The Liberal Party is not promising the Thornlie rail line in the 2013 election because I am going to win anyway"! That was the attitude of the Liberal Party to its transport planning: "Which seats are we going to win? Which seats do we think we can target?" That is how, coming to the 2013 election, it came up with the fabulous fantasy of the Metro Area Express light rail—a project that it was never going to build. In no circumstances would the Liberal Party ever build that project, yet it went to the election promising it—"Fully funded, fully costed MAX light rail". Fully funded? Twenty eight million dollars' worth of taxpayers' money went into that project and it all went down the toilet because the Liberal government never cared for it. It does not care for public transport—it never has. It closed the Fremantle line, and we are still trying to recover from that. It has no commitment to transparency or honesty, even in opposition.

Again, I cannot believe it comes in here talking about the Forrestfield–Airport Link, saying that we have not released a business case that we do not have! The Liberal Party has it available to it. Here we go, Leader of the Opposition, this is your opportunity: you brought this question about the business case for the Forrestfield–Airport Link—table the business case! Give it to us! Let us see what it looks like! What is the Leader of the Opposition hiding in that he will not release the business case of a project we are building? The dopey member for Nedlands who comes out and says that we —

Withdrawal of Remark

Mr W.R. MARMION: I take offence at being called dopey, Mr Speaker.

The SPEAKER: Withdraw, please.

Mr W.J. JOHNSTON: I withdraw.

Debate Resumed

Mr W.J. JOHNSTON: Last week, the member for Nedlands said, "The Department of Transport has that document". The Department of Transport cannot give it to the new government because it is a cabinet document. Cabinet documents of a former government are not available to an incoming government. That is the law in Western Australia. It does not matter what the department has; it cannot show it to the minister. It cannot use it as part of the works it is doing; it is not available to the department. It is a document that belongs to the former government and cannot be used by an incoming government. That is just the law in Western Australia. I do not understand how many times members opposite come in here and talk about this. What about their own behaviour? The Minister for Transport never sought a briefing from the project team as the Matagarup Bridge got delayed again and again, so that he could come to Parliament and say, "I haven't been told about any delays." He deliberately did not seek briefings. That is exactly what happened. The same thing happened with Perth Children's Hospital. We saw again and again deliberate efforts to be ignorant so members opposite did not have to answer questions in Parliament. They knew the projects were way off course.

Mrs L.M. Harvey interjected.

The SPEAKER: Member for Scarborough!

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Mr W.J. JOHNSTON: It is like the member for Scarborough being involved in a cabinet decision that personally benefited her because of the uplift in the value of her land next to a government development.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: That definitely sounded like an imputation on the member for Scarborough's voters.

Mr W.J. JOHNSTON: On the point of order.

The SPEAKER: No, no; it is a point of order. I would like you to withdraw.

Mr W.J. JOHNSTON: I am happy to withdraw.

The SPEAKER: Well, withdraw, minister, withdraw.

Mr W.J. JOHNSTON: Okay, I withdraw.

Debate Resumed

The SPEAKER: Thank you.

Mr W.J. JOHNSTON: Let me make it clear. The member for Scarborough was a member of a cabinet that made a decision that led to the uplift in the value of her land.

Withdrawal of Remark

Mrs L.M. HARVEY: Point of order, Mr Speaker.

The SPEAKER: Yes; I am listening.

Mrs L.M. HARVEY: That member has implied that I have —

The SPEAKER: No; member, what is the point of order.

Mrs L.M. HARVEY: Standing order 92, "Imputations of improper motives".

Mr V.A. Catania interjected.

The SPEAKER: Just hold on. Member for North West Central, you withdraw.

Mr V.A. CATANIA: I withdraw.

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

Mrs L.M. HARVEY: I will read it out —

Imputations of improper motives and personal reflections —

The SPEAKER: Yes, I know what it is. What is the issue?

Mrs L.M. HARVEY: The improper motive is that I participated in cabinet so I could directly benefit from a decision of cabinet—I was not in the cabinet meeting.

Mr V.A. Catania: Withdraw.

The SPEAKER: Member for North West Central, I am on my feet. I call you to order for the third time. Minister, you will withdraw.

Mr W.J. JOHNSTON: Well —

The SPEAKER: No, minister, just —

Mr W.J. JOHNSTON: That is fine, I withdraw, but I make the point again—all I am saying are the facts.

Mr S.K. L'ESTRANGE: The minister said "I withdraw but", so he is actually questioning your ruling, Mr Speaker, and I ask that you call him to order.

The SPEAKER: He did withdraw, but now I do not know what he is going to say next. I do not know whether you do or not. Minister. Be very careful; you are going very close to the line.

Debate Resumed

Mr W.J. JOHNSTON: Thank you very much. Yes, I am. I am not impugning the member's character. What I am saying is about her behaviour.

Mr S.K. L'Estrange: Why did you withdraw then?

Mr W.J. JOHNSTON: Because I was directed to.

Several members interjected.

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The SPEAKER: Members!

Mr W.J. JOHNSTON: It is her behaviour I am drawing attention to. Her behaviour is simple. It is like the former Leader of the Opposition giving a contract to QBE.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: Mr Speaker, the minister simply has not listened to your ruling under 92; he is now impugning her behaviour and he has just admitted to it.

The SPEAKER: Behaviour is a bit different from saying someone has done something.

Debate Resumed

Mr W.J. JOHNSTON: That is right. I am sorry; I am explaining exactly what happened. That is not against the standing orders. If I say she is corrupt, that would be against the standing orders. I have not said that. What I said is what she did and I am pointing out what the Leader of the Opposition did. These are the things they did. It is not my fault that they did these things.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the third time. You just do not scream against the chamber.

MR W.R. MARMION (Nedlands) [4.04 pm]: I think there is a minute left or 42 seconds on the clock. The response to this matter of public interest is the most woeful I have heard in the whole time I have been here.

Several members interjected.

The SPEAKER: The member has only 40 seconds; do not interject.

Mr W.R. MARMION: The whole time was spent on deflecting.

Ms R. Saffioti interjected.

The SPEAKER: Minister!

Mr W.R. MARMION: The point of an MPI —

Ms R. Saffioti interjected.

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

Mr W.R. MARMION: The point of an MPI was about deflection. What did we get? We got 30 minutes of deflection. We did not learn anything about the cost of the project, the timing of the project or what is happening with the project. We learnt nothing about the project. Members opposite spent 30 minutes and all they said was, why did we not leave a business case, why did we not do that and what about the project definition plan. They are irrelevant. Once a tender is put out —

Several members interjected.

The SPEAKER: Disgraceful! Disgraceful behaviour. This is supposed to be a debate, not who has—I cannot say that—not who thinks they are the best. I nearly said something bad. This is a debate; it is not about who can shout the loudest. Let us just put the motion now. As someone sitting up here, I was disgusted with that MPI today. That is just the Speaker saying it. Look at all the people I have called to order; the discipline is terrible.

Mr S.K. L'Estrange: Divide.

The SPEAKER: Let me make the decision first. The noes have it. Division called, ring the bells. You are lucky you are not going home.

Division

Question put and a division taken with the following result —

Ayes (17)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden

Dr D.J. Honey
Mr P. Katsambanis
Mr Z.R.F. Kirkup
Mr A. Krsticevic
Mr S.K. L'Estrange

Mr R.S. Love
Mr W.R. Marmion
Dr M.D. Nahan
Mr D.C. Nalder
Mr K. O'Donnell

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

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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 Y. Mubarakai

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

Ms A. Sanderson
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr R.R. Whitby
Ms S.E. Winton
Mr D.R. Michael (*Teller*)

Pairs

Mr D.T. Redman
Mr J.E. McGrath

Mr P.C. Tinley
Mr M.P. Murray

Question thus negatived.