

Legislative Assembly

Tuesday, 16 November 2010

THE SPEAKER (Mr G.A. Woodhams) took the chair at 2.00 pm, and read prayers.

DISTINGUISHED VISITOR — IRVINE HUTCHISON

THE SPEAKER (Mr G.A. Woodhams): Members, I draw your attention to the very special guest who is sitting in the Speaker's gallery this afternoon. I refer to Irvine Hutchison—commonly called Hutch—who is 100 years old. For the benefit of members, Mr Hutchison was involved in the extensions to Parliament House in the 1960s. Thank you very much, Hutch, for those efforts.

[Applause.]

DECEASED ELDERLY LADY, BECKENHAM — GOVERNMENT AGENCY SUPPORT

Statement by Minister for Mental Health

DR G.G. JACOBS (Eyre — Minister for Mental Health) [2.02 pm]: Last week we heard about the tragic case of an elderly woman who was found deceased in her Beckenham home. This is a very sad case, which now leaves the woman's adult son mourning the loss of his mother under very difficult circumstances. I will provide some details to the house without breaching the privacy provisions that protect people in our community. The government believes that their privacy should be respected and that their names should not have been used by members opposite in the political arena in statements last week.

The current advice I have is that the gentleman mentioned in the media was not a consumer of either Western Australian public health services or a mental health service, and had not visited a general practitioner for about 10 years. Further details concerning this case are currently being investigated by the relevant authorities. I am wary of invading the privacy of the gentleman in question. However, if the Leader of the Opposition has a genuine concern about the matter, I am more than happy to offer him a private briefing to provide the currently available details. Most importantly, the gentleman is now receiving the care he needs from Western Australian public mental health services. His privacy will be respected.

WESTERN AUSTRALIAN REGIONAL SMALL BUSINESS AWARDS

Statement by Minister for Commerce

MR W.R. MARMION (Nedlands — Minister for Commerce) [2.04 pm]: I rise to inform the house about the GWN Western Australian Regional Small Business Awards that were held last Friday night. This event marks the highlight of the regional small business calendar. It was an outstanding night organised by the Small Business Development Corporation.

I had the privilege of awarding the 2010 GWN Western Australian Regional Small Business of the Year Award, which was the main prize of the evening. This year it went to McLaren Hire, a vehicle hire company located in Karratha. McLaren Hire is a great example of a family business which started from humble beginnings and which has grown into an exceptional company. Importantly, this business has responded to the exceptional demands of the state's north west, despite the challenges facing businesses in that area. The challenges are aptly epitomised by the genesis of Sean and Lisa Clarke's business, which started in 1998 and was run from a caravan park with one hire car. The couple now has more than 650 vehicles and premises in Karratha and Port Hedland. The couple also employs 16 full-time staff throughout the Pilbara region.

Other awards during the evening included the Regional Small Business Hall of Fame Inductee award, which went to Mr Barrie Stearne from Esperance; and the Best Aboriginal Business award, which went to Ralph Keller and Kenzie Smith from Portacomm SX5 Building Systems, also located out of Karratha. It is great to see that businesses from the north west of the state are big winners this year, with five out of seven category winners coming from Carnarvon and Karratha. The awards recognise the remarkable and resilient people who run small businesses in the high-growth areas of the state. The recognition by this government of the demands on small business in the north west is matched by actions being delivered through the Pilbara Cities program.

I also commend the small business centres around the state that have supported the growth of small businesses throughout the regional areas of Western Australia. I extend my congratulations to all winners and participants in the 2010 GWN Western Australian Regional Small Business Awards.

LIQUOR BANS — KIMBERLEY COMMUNITIES*Statement by Minister for Racing and Gaming*

MR T.K. WALDRON (Wagin — Minister for Racing and Gaming) [2.05 pm]: On 18 August this year I informed the house that I had agreed to implement total alcohol bans in the Kimberley communities of Kundat Djaru, also known as Ringer Soak, situated 172 kilometres south east of Halls Creek; Koongie Park, situated 20 kilometres south of Halls Creek; and Nicholson Block, situated three kilometres from Halls Creek. These bans are now in place and will run for an initial period of three years, expiring in September 2013. All but one of the 10 bans implemented so far are voluntary, the exception being Oombulgurri; and all these communities, apart from Jigalong, are located in the Kimberley region. It is evident that the success of the section 175 alcohol bans in the Kimberley is starting to generate interest in other regions. Currently, a number of East Pilbara and western desert communities are seeking alcohol bans. I recently visited two of these communities, being the Punmu Aboriginal Community, located in the western desert approximately 370 kilometres east of Newman; and the Irrungadji Aboriginal Community, located in the East Pilbara region adjacent to the town of Nullagine. In each case I was impressed by the strong desire of the community leaders to deal with the effects of alcohol abuse by removing alcohol from their communities, and the commitments made by local police to help the communities achieve this goal.

As is common practice, the process for considering a section 175 alcohol ban involves consultation with relevant groups and service providers, including the local shire, the Commissioner of Police, the Minister for Mental Health and the Minister for Indigenous Affairs, to enable an assessment of the adequacy of support services to occur. During my visits to the communities, I was accompanied by Acting Superintendent Mike Bell and Inspector Kevin Dale from the Pilbara district police, each of whom I acknowledge for his commitment to help the communities implement and manage the alcohol bans. This support is an important factor in the bans being effective. On this basis, I have agreed to proceed to implement alcohol bans in the Punmu and Irrungadji communities for an initial period of three years, and have instructed that the necessary regulations be prepared.

This will bring to 12 the number of remote communities that have implemented alcohol bans under the Liquor Control Act. The system seems to be working very well and is gaining momentum, with a number of further applications under consideration. The important thing to note about these section 175 alcohol bans is that although they usually result from a voluntary request made by a community, they are not granted automatically. In addition to the consultative process before I agree to a ban, I need to be satisfied that there is both an overwhelming support from within the community for the ban and a commitment of support from the police and other relevant agencies. In this regard the government congratulates the people of Punmu and Irrungadji for taking strong action to support the wellbeing of their communities.

QUESTIONS WITHOUT NOTICE**GOVERNMENT RESOURCING — MINOR PARTIES AND INDEPENDENTS****704. Mr E.S. RIPPER to the Premier:**

On behalf of the member for Mandurah, I welcome students from the Assumption Catholic Primary School, Mandurah, to the gallery.

I refer to the Premier's personal staff-for-votes deal with the member for Fremantle.

- (1) Does the Premier acknowledge that his deals with the members for Fremantle, Alfred Cove and Kalgoorlie to guarantee greater security for his government in this house will cost \$1 million over four years?
- (2) When will the issue of additional resourcing for the member for Fremantle go to cabinet?
- (3) Has the Department of the Premier and Cabinet prepared a submission?
- (4) What are the requirements to be put around these consultants: do they have to work at Parliament House; is it a requirement that they have a legal background, as they assist with the legislative workloads of these members, and are they precluded from undertaking duties associated with the electorate or with campaigns? If there are these requirements, how will compliance with these requirements be monitored?

Mr C.J. BARNETT replied:

- (1)–(4) There is no staff-for-votes deal. This is the issue that the Leader of the Opposition raised last week. He is raising it again this week in a matter of public interest motion, so we will have that discussion. As to the cost, the Leader of the Opposition can do the math—if he wants to.

Mr E.S. Ripper: I have done the math; it comes to \$1 million. Do you agree?

Mr C.J. BARNETT: There are no conditions attached. As I said last week, the additional staff members provided for the members for Alfred Cove and Kalgoorlie were provided by way of a formal cabinet decision, and that cabinet decision has no —

Mr E.S. Ripper: In that formal cabinet decision, were there any compliance requirements put on it?

Mr C.J. BARNETT: That cabinet decision has no conditions attached to it at all.

But this question gives me the opportunity, now that a week has gone by, to ask the Leader of the Opposition, when he —

Mr E.S. Ripper: Delay, deny, counterattack—that's your strategy!

Mr C.J. BARNETT: No!

Mr E.S. Ripper: Delay, deny, counterattack—you are a bit slow on the counterattack, but you have been doing plenty of delay and denial.

Mr C.J. BARNETT: It is not a counterattack, Mr Speaker; it is a simple question because —

Mr M. McGowan: Go and have your coffee!

The SPEAKER: I believe the Leader of the Opposition has asked the question in all seriousness, and would expect a serious answer from the Premier.

An interjection such as yours, member for Rockingham, does not aid the process. I call you formally to order for the first time.

Mr C.J. BARNETT: The additional staff for the members for Alfred Cove and Kalgoorlie were by way of a formal cabinet decision, which does not have any conditions whatsoever attached to it. Should additional staff be provided for the member for Fremantle, no condition will be attached to it and it would be a formal cabinet decision, but that matter has not progressed beyond the conversation I had with the member for Fremantle back in mid-October.

Now that a week has gone by, it does give the Leader of the Opposition the opportunity to clarify for the house, when staff were provided for the Greens (WA) under the Gallop government, to assist, I presume, the passage of the one vote, one value —

Mr E.S. Ripper: On what evidence do you assume that?

Mr C.J. BARNETT: Can the Leader of the Opposition now confirm —

Mr E.S. Ripper: On what evidence do you assume that?

Mr C.J. BARNETT: I just make that assumption.

Mr E.S. Ripper: As you do!

Mr C.J. BARNETT: They happened at the same time.

Mr E.S. Ripper: With no evidence!

Mr C.J. BARNETT: They happened at exactly the same time, and I can remember—maybe Hon Giz Watson can explain how that occurred—the impasse over one vote, one value in the upper house, and the Greens were provided, perhaps coincidentally, with additional staff and then, perhaps coincidentally, they supported one vote, one value.

Mr E.S. Ripper: It was longstanding Greens policy!

Mr C.J. BARNETT: Interesting, but can the Leader of the Opposition confirm something for me? This government, in any provision of additional staffing, only does so by a formal decision of cabinet. Can the Leader of the Opposition tell me whether, when that staffing was provided to the Greens, it was a formal decision of cabinet?

Mr E.S. Ripper: And what's the importance of that question?

Mr C.J. BARNETT: Was it a formal decision of cabinet?

Mr E.S. Ripper: If you do it by a formal decision of cabinet, the documents are not available by FOI, are they?

Mr C.J. BARNETT: Was it a formal decision of cabinet? Come on! Come on!

Mr E.S. Ripper: If it is done by a formal decision of cabinet, no subsequent government has access to those documents. So you do it by cabinet to avoid revealing what you have done.

Mr C.J. BARNETT: I am asking the question! I do not have access to those documents and I am asking the Leader of the Opposition the question.

Mr E.S. Ripper: There was never any condition that the staffer that was allocated here at Parliament House, not in the electorate office —

Mr C.J. BARNETT: Was it a decision of cabinet?

Mr E.S. Ripper: What is the point of it being a decision of cabinet? Only so that the Premier can hide it!

Mr C.J. BARNETT: So, no decision of cabinet? The Leader of the Opposition did allocate a staff member to the Greens at the time of the one vote, one value debate —

Mr E.S. Ripper: To a whole party!

Mr C.J. BARNETT: — to the Greens. Now, if I hear the Leader of the Opposition correctly, he is saying there was no formal cabinet decision. The Leader of the Opposition just did it as the Labor Party, did he? Am I to understand there was no cabinet decision? Is that what the Leader of the Opposition is saying? The Leader of the Opposition just did it: “Here you are! Have a staff member.” Is that what the Leader of the Opposition did? I think that is what they did: “Have a staff member!” They hand them out like confetti! What a joke!

GOVERNMENT RESOURCING — MINOR PARTIES AND INDEPENDENTS

705. **Mr E.S. RIPPER to the Premier:**

I have a supplementary question. Since the Premier formed government, has the member for Churchlands received an additional electorate officer?

Mr C.J. BARNETT replied:

No. And the member for Churchlands is a very fine Minister for Education—a strong supporter of the government.

GRAIN GROWERS — GOVERNMENT SUPPORT

706. **Mr M.J. COWPER to the Minister for Agriculture and Food:**

Members in this place know how important the agriculture industry is to Western Australia, in particular, one of the major exports, our grains. Can the minister explain how the Liberal–National government is supporting grain growers and also making our country roads much safer?

Mr D.T. REDMAN replied:

I thank the member for Murray–Wellington for the question. As a member who has been around a significant area of regional Western Australia during his career as a police officer in Western Australia, he has a very good understanding of the challenges the region faces.

We recognise that the grain sector in Western Australia, through a typical season, is worth around \$4.5 billion to the economy. That is very, very significant indeed, but is of course when we have a normal 10 million or 11 million–tonne crop. We recognise that the challenging dry conditions of this year will mean that the crop will be half of what is normally expected. The role played by grain producers in their contribution to the state’s economy has been acknowledged by the Liberal–National government’s commitment of \$178.8 million to bolster the Western Australian grain freight network. This is good news.

Several members interjected.

The SPEAKER: Thank you, members!

Mr E.S. Ripper: That is great financial management.

The SPEAKER: Leader of the Opposition, I formally call you to order for the first time. I believe that the question was asked by the member for Murray–Wellington.

Mr D.T. REDMAN: This is good news for grain growers.

Several members interjected.

The SPEAKER: Take a seat, minister. Member for Kwinana, if you have something to ask in this place or some comment to make I will give you an opportunity at a later stage; right now, I formally call you to order for the first time.

Mr D.T. REDMAN: The Premier, the Minister for Transport, Hon Simon O’Brien, and I announced a package yesterday that will see more than 1 200 kilometres of rail line upgraded. The Liberal–National government has made a commitment to the future of the agricultural industry in this state and all members opposite can say is, “What have we done in the last eight years!”

Several members interjected.

The SPEAKER: Member for Collie–Preston, I formally call you to order the first time along with the member for West Swan.

Mr D.T. REDMAN: The best that I can recollect is that the Labor Party called on the government to fund this and what happens when we fund it? They sit over there and cry while wondering what the hell they did in their last eight years in government. This place must be left confused about Labor's position and where its members stand on the grain rail freight network in Western Australia.

Yesterday's funding announcement also complements the \$50 million interim funding announced by Hon Simon O'Brien in January; it also secures the federal government's commitment of \$135 million announced in the 2010–11 federal budget—the total of \$352 million over four years, includes \$187.9 million for re-sleeping works and rail siding upgrades on WA's busiest grain freight lines. It also includes \$118.3 million for improvements and maintenance to Wheatbelt roads, and \$14.6 million for a transition assistance package to ensure that rail transport remains competitive with road transport.

Mr M.P. Murray interjected.

The SPEAKER: Take a seat, minister; thank you. Member for Collie–Preston, you have opportunities in this place to ask questions; however, to consistently interject with other matters is not appropriate and I formally call you to order for the second time today.

Mr D.T. REDMAN: Thank you, Mr Speaker. My fourth point is about \$500 000 for a further rail study. This will improve the efficiency of the grain freight network. Lowering farmers' costs will allow them to be competitive in the international market and we all know that 97 per cent of WA's grain crops are exported. I spoke recently about the very big opportunity that exists in the Saudi market and the first shipment has just landed there. This is good news for Western Australian industry as it looks forward to supporting those potential future markets.

The second part of the question was about a fundamental policy setting to get grain freight off the roads and on to rail. Hon Simon O'Brien has done a fantastic job to put in place a policy that makes those roads much safer for country communities. I congratulate the Minister for Transport for his initiative. Also, on the back of the work that we are doing on the other part of the grain supply chain, is this government's commitment of \$30 million to the Australian export grain innovation centre, the New Genes for New Environments facilities at Katanning and Merredin, which will utilise new GM technology, and, of course, this government's very progressive decisions around GM canola. The Liberal–National government is investing in the future of the farming community in Western Australia.

KEVIN SPRATT INCIDENT — TIME LINE OF EVENTS

707. Mr J.R. QUIGLEY to the Minister for Police:

My question without notice to the Minister for Police of which some notice was given at 10.35 this morning with an extract from the "Timeline of Events—Kevin John Spratt" refers to that time line of events document published by the Commissioner of Police and the Deputy Commissioner of Police at a jointly held press conference, which showed that Mr Spratt had been charged with five offences in relation to his conduct in King William Street, Bayswater on 31 August 2008 and a further four offences for his conduct later that day back at the Perth police watch-house. I ask —

- (1)
 - (a) In relation to the second yellow box on the first line—attached to the question and marked with the red letter A—detailing the charges for Mr Spratt's arrest at King William Street, Bayswater on 31 August 2008, how many offences was Kevin John Spratt charged with relating to his conduct in King William Street, Bayswater that day?
 - (b) What were those offences?
 - (c) How was each charged offence dealt with by the court?
 - (d) Who was the arresting officer for each of those offences?
- (2)
 - (a) Referring to the first yellow —

The SPEAKER: Member, I will accept what you have asked of this house, and of this minister in particular I ask that the minister answer those questions at this stage. If you have further questions, I will deliver them as a supplementary.

Point of Order

Mr E.S. RIPPER: The minister was given notice of the question. I appreciate that it is a long question, but the minister has had notice and does have it in writing in front of him.

The SPEAKER: I accept your point of order, Leader of the Opposition. Please continue, member for Mindarie.

Questions without Notice Resumed

Mr J.R. QUIGLEY: Thank you, Mr Speaker —

- (2) (a) Referring to the first yellow box on line two—marked with the red letter B—how many offences was Mr Spratt charged with for his alleged conduct on 31 August at the Perth police watch-house?
- (b) What were those offences?
- (c) How was each charged offence dealt with by the court?
- (d) Who were the charging officers?

Mr R.F. JOHNSON replied:

Mr Speaker, it was indeed a very long question, an extremely long question, and it will receive a very short answer.

- (1)–(2) I thank the member for some notice of the question; however, the “Timeline of Events—Kevin John Spratt” referred to in the member’s question currently forms part of the material that is being reviewed by the Corruption and Crime Commission’s investigation into any incidents involving members of the Western Australia Police and Mr Kevin Spratt on 30 August 2008, 31 August 2008 and 6 September 2008. As this is the case, I am unable to comment any further on this matter.

KEVIN SPRATT INCIDENT — TIME LINE OF EVENTS

708. Mr J.R. QUIGLEY to the Minister for Police:

I have a supplementary question. Given the disparity between the documents of the police describing what happened at the Perth police lockup and the published video of what happened in the Perth police lockup, should there not be a public inquiry into the events involving Kevin John Spratt?

Mr R.F. JOHNSON replied:

I would have thought that the member for Mindarie with all of his years of alleged legal expertise would appreciate —

Several members interjected.

Mr R.F. JOHNSON: Self-promoted! I would have thought that the member for Mindarie would appreciate the legal process that surrounds these kinds of matters. Aside from the CCC investigation that is currently taking place, the Director of Public Prosecutions is currently determining whether criminal charges can be laid.

Mr E.S. Ripper: You won’t confirm the truth or accuracy of the time line; that is what the meaning of this answer is!

Mr R.F. JOHNSON: I am coming to the Leader of the Opposition, do not worry!

Mr E.S. Ripper interjected.

The SPEAKER: Leader of the Opposition!

Mr R.F. JOHNSON: I will have you later!

Mr E.S. Ripper: That sends a message!

Mr J.R. Quigley: You know this is a bodgie document!

Mr R.F. JOHNSON: The problem, Mr Speaker, is every time the member for Mindarie gets his mug on the news or makes his usual hysterical comments in the press about this matter, he is slowly killing off any possibility of a fair trial being held regarding this incident. Quite frankly —

Mr J.R. Quigley interjected.

The SPEAKER: Member!

Mr R.F. JOHNSON: I think he is a disgrace to the legal fraternity in WA. As Paul Murray said last month, he is playing a real media game on this issue.

Mr J.R. Quigley: ‘Fess up! You know this is a bodgie document!

Mr R.F. JOHNSON: A real media game! I think all the member for Mindarie wants to do is to be able to put a pair of underpants on over his trousers!

BERLIN PHILHARMONIC ORCHESTRA — REGIONAL CENTRE SIMULCAST

709. Dr M.D. NAHAN to the Minister for Culture and the Arts:

The state government subsidised the recent visit of the Berlin Philharmonic Orchestra to perform two shows at the Perth Concert Hall.

Mr P. Papalia interjected.

The SPEAKER: Take a seat, member. Member for Warnbro, another question is being asked. I ask that you respect that. I formally call you to order for the first time.

Point of Order

Mr C.J. BARNETT: Unless I misunderstood, I heard the member for Warnbro make the comment, “Did you handshake when you got paid?” I do not know what he was referring to, but I can guess. If he did say that, I respectfully suggest he withdraw and apologise.

The SPEAKER: I do not know whether you said that —

Mr P. PAPALIA: The comment was, “Does your hand shake when you get paid,” insinuating that perhaps the minister should not be paid as much as he is because he does not do his job.

The SPEAKER: Take a seat member for Warnbro. Member for Riverton.

Questions without Notice Resumed

Dr M.D. NAHAN: The state government subsidised the recent visit of the Berlin Philharmonic Orchestra to perform two shows at the Perth Concert Hall. Can the minister please update the house on the outcomes of the visit and what value the state’s investment achieved for the Western Australian community?

Mr J.H.D. DAY replied:

I firstly acknowledge, sitting in your gallery, Mr Speaker, Mr Iain Evans, member for Davenport in the South Australian Parliament and shadow Treasurer as a member of the South Australian opposition. It is good to see you, Iain.

The Berlin Philharmonic Orchestra was in Perth from Thursday last week until yesterday. Its visit was the first of two stops on its first Australian tour. The only two cities in Australia the orchestra is visiting are Perth and Sydney. The visit was made possible, to a large extent, through the support provided by the state government through the Perth Theatre Trust and in association with the Perth Concert Hall. I very much congratulate all those who have been involved in the preparation of this visit, which, essentially, has been over several years but particularly over the past 12 or 18 months. The visit of the Berlin Philharmonic to Perth can only be described as an outstanding success from all perspectives: from the point of view of Western Australians and from the point of view of members of the orchestra, who very much enjoyed their time in Perth. I will come back to that in a moment.

It is notable that we estimate that in the order of 10 000 people had a direct experience of seeing or hearing the orchestra perform, including, of course, the two concerts that took place at the Perth Concert Hall last Saturday and Sunday. Importantly, for the first time the performance was simulcast to eight regional centres around the state, which was made possible through the royalties for regions program, which the Minister for Regional Development spoke about last week. In addition, the performance was made available through the Westlink satellite system, through various community resource centres, to much smaller towns in Western Australia. People who had access to satellite technology in remote and regional areas were able to watch the performance on Sunday night in their own homes. That is an outstanding achievement in itself.

Mr J.N. Hyde: How many freebie tickets on your side; how many ministers; how many Liberal lobbyists?

Mr J.H.D. DAY: Not many. There was some government representation at the concert, as one would expect as hosts of this world-standard orchestra in Perth. Another important outcome has been the opportunities for educational involvement on the part of music students in Perth and Western Australia.

Mr J.N. Hyde: Which Liberal electorates?

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

Mr J.N. Hyde: It is another Liberal rort.

The SPEAKER: Member for Perth, I formally call you to order for the second time. You could at least give me the courtesy of letting me sit down before you interject again.

Mr J.H.D. DAY: Approximately 300 students had the opportunity of attending the rehearsals. That was an outstanding opportunity to enable them to see the work that goes on behind the scenes and the immense dedication and professionalism of an orchestra such as the Berlin Philharmonic. There were also 100 tickets available to music students for the Saturday afternoon concert. That was an excellent opportunity for them to see this world-standard orchestra at a low cost. It is also very notable that through the funding that was provided for the regional telecasts and the simulcast, the technology acquired for this simulcast equipment to be used—the decoders, the projection equipment, the satellite receiving equipment and so on—is available for future performances of this nature. I think a whole new world of opportunity has been opened up to the arts around this

very large state of Western Australia. There is also extensive funding of regional visits by performing arts companies around Western Australia. Indeed, additional funding is being made available over the next four years to assist in that process through the cooperative arrangement that we have between my portfolio and the Minister for Regional Development.

The feedback that was received from regional centres about the simulcast was very positive indeed. If I may just mention a couple of quotes, for example, Helen Scott of Esperance said, according to my notes —

It was indeed a privilege to experience the Berliner Philharmoniker Concert, via live simulcast from the Perth Concert Hall at the Esperance Civic Centre and to see the chief conductor Sir Simon Rattle do his magic, was truly amazing.

The sound system was that as if we were there, in the Concert Hall, which was so obvious when all in the audience clapped after each performance.

After attending a smaller community resource centre in Wellstead, Janie and Chris Gilmour wrote —

Congratulations upon a wonderful initiative ... how privileged we were to have this wonderful music streaming into our Resource Centres providing a fantastic cultural and social benefit for the regions.

Mr J.N. Hyde: This is paternalistic rubbish!

Mr J.H.D. DAY: Paternalistic rubbish? What an absolute insult!

Mr J.N. Hyde: The WASO can go everywhere. You will not fund —

The SPEAKER: Take a seat, minister. Member for Perth, I formally call you to order for the third time today.

Mr J.H.D. DAY: I really find it difficult to understand why the member for Perth is so negative about what has been such an outstanding experience for Western Australians, and one putting Western Australia and Perth on the national and international map—more so than has been the case in the past.

If I may conclude with some words of Sir Simon Rattle, the principal conductor of the Berlin Philharmonic. Among other things, he said, according to my notes —

We are so impressed with what is going on here. We've always heard that Perth was really a centre for the arts. At a certain time I have to tell you that Perth was the only place that was really definitely on for us—it was Perth who was willing to say yes, we'll take these crazy programmes when this place—I think it's called Sydney?—was beginning to wobble a bit. They have been behind us absolutely from the start. They have treated us like princes. We were so happy to be here, we've left a large part of our heart here. The idea to send this programme out to all the ends of this gigantic state, the size of Europe with a smaller population than Birmingham, that's how I think of it—is a visionary thing. And it's something that is so important for us, it is something that we are trying to do at home, I hope you are very proud of it. We've had a wonderful time. Simply: Bless you. We've lost our hearts, and we look forward to coming back, if indeed we ever go.

Mr D.A. Templeman: It is the most expensive email I have ever heard!

Mr J.H.D. DAY: It was not an email; it was said right here in the Perth Concert Hall last Sunday evening. I would hope that there is bipartisan support for these major cultural events in Western Australia. I think it is a great reflection on all those who have been involved in bringing these outstanding performances to Western Australia, and is a reflection, in partnership to a large extent, of the fantastic contribution that our own home Western Australian performing arts companies provide as well.

FIONA STANLEY HOSPITAL — PREFERRED SERVICES PROVIDER — SERCO AUSTRALIA

710. Mr R.H. COOK to the Minister for Health:

I refer the minister to a 2006 report by the United Kingdom Parliament's Committee of Public Accounts in which the committee found that a Serco consortium fleeced taxpayers of millions of pounds in the construction of a UK hospital.

A member interjected.

Mr R.H. COOK: It is the Norfolk and Norwich University Hospitals.

- (1) Has the minister read the report and will he table it?
- (2) Were the findings considered by the state government before nominating Serco Australia as the preferred tenderer to provide more than 30 privatised services at Fiona Stanley Hospital?
- (3) What steps has the Barnett government taken to ensure that Serco, one of the world's largest companies, does not fleece Western Australian taxpayers?

Dr K.D. HAMES replied:

(1)–(3) I would like to hear the member say that outside the chamber. Serco Australia is an extremely reputable company throughout the world. It will do an excellent job. I cannot work out exactly what the relationship is between the missos and the Labor Party, and particularly with the member opposite. The missos are acting extremely irresponsibly in their public campaign against Serco. I have seen in their proposal that they are calling Fiona Stanley Hospital, which will be one of the landmark hospitals in this state, a prison because Serco runs the prison system and the detention centre system in Australia. It is an international company that manages a large number of hospitals in England. One would never know that from the advertisements that have been released.

With regard to the particular case that the member has raised, I have not read the report but a report referring to those issues has been given to me. Serco was a five per cent holder in the company responsible for developing our hospital. The explanation was provided to me only today. I do not have those details in my head, but I am more than happy to provide to the member the report that I have that in effect exonerated Serco from the allegations that have been made.

PEOPLE SMUGGLER OFFENDERS — STATE PRISON SYSTEM

711. Mrs L.M. HARVEY to the Attorney General:

A serious issue has been raised about the potential imprisonment in our prison system of people smuggler offenders who are under the age of 18 years. Could the Attorney General please update the house on this situation and also correct the misinformation put about on this issue by those opposite?

Mr C.C. PORTER replied:

I thank the member for the question. It was not necessarily misinformation by those opposite, but just one person opposite. I will mention that person in a moment. It is a shame that he used up his three strikes already because he is going to enjoy this answer, I think.

Last week I informed the house of the cooperation that we have engaged in with the federal Labor government and the Minister for Home Affairs. That cooperation will mean that we will have more manageable numbers of people-smuggling prisoners in our prison system in Western Australia. We will also, in a cooperative fashion, come up with a long-term plan for a more even distribution. This is another issue which arises from time to time and which has arisen recently. It is a very important issue deserving very serious attention—that is, the idea that we are housing in our prison system people-smuggling prisoners who are on remand or who have been sentenced but who have not yet reached the age of 18 years. We have 142 people-smuggling prisoners in our system at the moment, of whom 69 are on remand and 73 have been sentenced. Determining the age of a people-smuggling prisoner is both very difficult and a matter of great seriousness and importance. It is very difficult because of course we do not have access to papers at the time that these matters go to court. It is very important because, firstly, it is obviously quite wrong to have juveniles in adult facilities, and, secondly, there are mandatory sentences for people smugglers that not many people realise or talk about. For those people who smuggle five or more persons, as a first offence, it is a five-year maximum with a minimum non-parole period of three years. For subsequent offences, it is an eight-year maximum with a minimum non-parole period of five years. A person convicted of people smuggling will spend a long time in prison. It is interesting that we have had in this place a long debate on mandatory sentencing for assaults on police. It has been shown to have a clear deterrent effect. The state Labor Party was a bit shy about that. The federal Labor government passed its bill in May 2010. People-smuggling prisoners, for whom there does not seem to be any deterrent effect from mandatory sentencing, spend a very long time in prison.

In any event, the fact is that the Australian Federal Police prosecute these matters based on the information available to it that it gives to the commonwealth Director of Public Prosecutions. The commonwealth DPP appears before a court, there are proof-of-age hearings and there are full trials. What we do is receive the prisoners. From time to time—four allegations have been made recently about four separate prisoners—when any information is received by the Department of Corrective Services, we give it to the AFP. We require that that information then be passed on to the commonwealth DPP and the DPP makes the arguments before court.

The member for Perth takes a different view of responsibility of this matter. This is from a media release from the member for Perth, and it is seriously kooky stuff. The media release states —

Perth MLA John Hyde, who convenes the Parliamentary Friends of Indonesia, said it was deplorable that Prisons Minister Christian Porter had failed to prevent exploitation of Indonesian children.

Four Indonesian prisoners are due to appear in age-determination hearings in Perth next Wednesday and in December.

“It is brutally callous for this Minister to force children to go to court to prove they are children,” said Mr Hyde.

... he's more concerned with having his prison laundry done cheaply than looking after the human rights of children."

Several members interjected.

Mr C.C. PORTER: The member is a serious nincompoop; he seriously has got things so unbelievably wrong.

Several members interjected.

Mr C.C. PORTER: I will take one when I have finished.

Mr J.N. Hyde: The Inspector of Custodial Services pointed out that you were using them in your laundries!

The SPEAKER: Member for Perth, as I understand it, the Attorney General has indicated that he will take an interjection from you at the conclusion of his speech.

Mr J.N. Hyde: I'm sorry; I missed that.

Mr C.C. PORTER: Mr Speaker, I will count that as the interjection.

Several members interjected.

Mr C.C. PORTER: For the information of the member for Perth; yes, prisoners work in the laundry—can members imagine that?

The member's allegation, though, is that under-age prisoners are being forced to work in the laundry and that that is our fault, and that we are forcing people to go to court hearings.

Mr J.N. Hyde: Read the inspector's report! They did not understand English—your own inspector says that!

Mr C.C. PORTER: If we ever receive any information that is even suggestive of the fact that someone might be underage, we hand that to the appropriate authorities—namely, the Australian Federal Police; the commonwealth Director of Public Prosecutions; and the courts—and they make a determination. The member might not realise this, but the prisons do not determine guilt, innocence or age; we are bound by a court decision and we take that very seriously. I would also say to the member for Perth with respect to that —

Mr J.N. Hyde: Have you read the Inspector of Custodial Services' report? Have you read the report?

The SPEAKER: Member for Perth!

Mr C.C. PORTER: — seriously bizarre press release and just a couple of other things, that the member can come to me and I will answer his questions for him.

Mr J.N. Hyde: You haven't read the report!

Mr C.C. PORTER: I have read the report, but the member clearly has not, because the way in which he has interpreted it is bizarre.

Mr J.N. Hyde: I have!

Mr C.C. PORTER: I will raise a couple of matters for the member: all prisoners, be they people-smuggling prisoners or otherwise, have access to healthy nutritious food in our system; people held for people-smuggling offences do not have to fill in written forms to get rice, as was suggested in the member's press release.

Mr J.N. Hyde: It's in the inspector's report!

The SPEAKER: Attorney General, take a seat. Member for Perth, I have indicated to you that the Attorney General—on my hearing at least—has indicated that he is prepared to take an interjection from you at the end of his particular delivery. I might suggest that that is the best course you have available at the moment. The Attorney General has the call.

Mr C.C. PORTER: I have a few other points.

The department does allow people-smuggling prisoners to write home; the orientation process does its absolute best to explain to people-smuggling prisoners, using interpreters, the consequences and nature of imprisonment; also, very seriously, people-smuggling prisoners are not, member for Perth, prevented from praying. Putting out rubbish such as that in a press release might seem like a smart manner to score political points, but it has the effect of bringing our state, and its well-run prison system, into serious disrepute. If the member has an interjection, I will take it.

Mr J.N. Hyde: Chapter 5 of the Inspector of Custodial Services' report details the issues: two weeks' advance notice to get rice within Hakea, where the Indonesians are.

Mr C.C. PORTER: Indeed; I think that —

Mr J.N. Hyde: The report also states that the prison laundry division is the only division of the prison that is under-represented, so what was happening was that the Indonesians, of whom only four of the 28 were able to

speak English, were being encouraged—pushed—into that division, where they were clearly working the laundry; the inspector says that. On the issue of praying; he raises the issue of praying in that they were not able to pray in a culturally appropriate way. Your own inspector details all those issues I referred to, and he says you have not addressed the issues.

Mr C.C. PORTER: Yes, it was a brilliant press release. This goes to show that people will see things in a report that they wish to see.

Ms M.M. Quirk interjected.

The SPEAKER: I have given the member for Perth the opportunity to make an interjection in this case. I have not given the member for Girrawheen an opportunity to interject. I formally call her to order for the first time.

Mr C.C. PORTER: Yes, he has got it wrong. The unit manager of any unit in a prison has to give written notice to the kitchen of the requirements of the people in that unit. Go figure! To extrapolate from that that we are requiring individual prisoners to seek written permission to be fed rice is errant nonsense.

SCHOOL CANTEENS — INSPECTION SERVICE FEES

712. **Mrs M.H. ROBERTS to the Minister for Health:**

I refer to the concerns raised with the minister by the Western Australian Council of State School Organisations, set to be broadcast on *Today Tonight* this evening, of some school P&Cs that are being charged fees of up to \$300 by local councils for their canteens.

- (1) Does the minister acknowledge that clause 6(2) of the Food Act 2008 states —
 The regulations may exempt from all or any provisions of this Act a prescribed activity of a charitable or community nature ...?
- (2) Will the minister move, by way of regulation to the Food Act or by any other means, to exempt school P&Cs from this new local government fee that is already being charged by some councils; and, if not, why not?

Dr K.D. HAMES replied:

- (1)–(2) That is a very good question and one that has already been raised by members on the government side, including the member for Jandakot and the member for Ocean Reef.

Mrs M.H. Roberts: What are you doing?

Dr K.D. HAMES: I have fixed it. It is a very good question and a very important issue. When changes were made to the Food Act, councils were allowed to charge schools that were running their own canteens for an inspection service. Like the member, I thought that was totally inappropriate, so we looked at ways to sort that out. It was brought to my attention that we could do that.

Mrs M.H. Roberts: Didn't you write to WACSSO and say that it should go back to the local government authority, not to you?

Dr K.D. HAMES: I do not recall signing the letter. Let me explain it. It is a very serious issue, and the member is right that what was happening was wrong. I have fixed it. I have —

Mr M. McGowan: Looked at it.

Dr K.D. HAMES: No. I issued a direction under the regulations to stop councils from charging those fees. The only area in which it may still be able to be done is when councils contract out the provision of lunches to a private sector organisation; a large organisation that runs a lunch program that is generally a full profit program.

Mrs M.H. Roberts: School canteens are the problem.

Dr K.D. HAMES: When it has been done in a school canteen run by an outside organisation, that company will still be required to pay for an inspection but when it is run by a school P&C, that will no longer be the case.

SEXUAL ASSAULT VICTIMS — REMOTE AND REGIONAL AREAS ASSISTANCE

713. **Mr I.C. BLAYNEY to the Minister for Police:**

As a regional member, I was very interested to learn during the minister's brief ministerial statement last Tuesday that the state government was planning on introducing legislation into state Parliament to assist sexual assault victims in country WA. Can the minister please inform the house how this will be achieved, particularly in remote areas of the Mid West and other regional areas?

Mr R.F. JOHNSON replied:

I thank the member for Geraldton for the question. I know that he has a very keen interest in this area. I did make a brief ministerial statement and I have introduced legislation into this Parliament that will enable not only doctors but also other health professionals such as nurses to take intimate forensic samples from victims of sexual assault. The history of it goes back about four years when my colleague the member for Joondalup was the Chairman of the Community Development and Justice Standing Committee.

Ms M.M. Quirk: It was two years.

Mr R.F. JOHNSON: It was four years ago.

Ms M.M. Quirk: The report was tabled in 2008.

Mr R.F. JOHNSON: I do not want there to be an argument between the member for Girrawheen and the member for Joondalup. She has enough trouble with the member for Mindarie; I do not want to make that argument larger. The point that the member for Joondalup was making is that that committee started looking into that matter. We came down with a report once we had investigated that matter. As the member for Joondalup knows, it was a very good working committee. The subcommittee of that working committee comprised the former member for Maylands, Hon Judy Edwards, who was extremely useful and had great expertise on that committee, the member for Churchlands and me. During that time we were approached by many women from regional and remote areas of WA who told us that they had serious problems because when they, their friends or their family members were subject to sexual abuse, rape and so on, there were no people in the regional and remote areas with the expertise to take the forensic samples that were necessary for a prosecution.

Ms M.M. Quirk: The funding is PCYC funding.

Mr R.F. JOHNSON: Does the member for Girrawheen not think it important that we are addressing the issues of sexual assault victims? The member just wants to make a silly political point about something else. If she wants to ask me a question, she should ask it. She should not take out her frustrations on me because she does not like the member for Mindarie. That is just not good enough. I know that the Leader of the Opposition will not listen to the member for Mindarie, and the member for Mindarie should not expect me to either. I would be delighted to answer the question if the Leader of the Opposition could keep his feral members quiet because it is a good question, and this government has done something about it. I have introduced into Parliament legislation that I hope and assume will get the support of the opposition. I cannot believe for a minute that the opposition would oppose legislation that would help sexual assault victims, but we never know these days because the opposition backflips on so many things. I wonder whether it will backflip on this as well. Perhaps I can get a commitment from the opposition about whether it will pass that bill very quickly—within 30 minutes—at some stage. It is a very simple bill that just adds two words to the existing act. Hopefully, we can put in place as quickly as possible the support that is needed for those sexual assault victims in remote and regional areas.

PUBLIC HOUSING — WAITLIST

714. Mr M. McGOWAN to the Minister for Housing:

I refer to the fact that on the minister's watch 55 000 Western Australians are awaiting public housing, including thousands of needy children, and the disastrous contracting-out model that has seen repairs and maintenance times blow out.

- (1) How does the minister explain the fact that 520 Homeswest properties were sitting vacant on 30 September that were not undergoing significant maintenance, modification or refurbishment?
- (2) How many people would those homes house if they were occupied?
- (3) Is this not just another example of the government's failed model of housing maintenance?

Mr W.R. MARMION replied:

I thank the member for Rockingham for his question.

- (1)–(3) The waitlist is an issue. The waitlist has increased under our watch, but it existed under the former government's watch too. What did the former government do?

Mr M. McGowan: It has got worse by about 10 000 during your term. Is that nothing?

Mr W.R. MARMION: What are we doing? We are building more houses. I have a simple graph here that shows what we have done and what the former government did over the past eight years. The number of houses being built was going down over the eight years that Labor was in office. What has happened since then? The Liberal–National government came in and look at what happened. The number of houses being built went up. There is a waitlist but we are doing something about it. The other point the member made was that 520 houses

are being refurbished. There will always be houses that will not be tenanted, as the member knows—he is a smart person—as people move in and out.

Several members interjected.

Mr W.R. MARMION: Am I being too generous, members? In answer to the very simple question, it is just like a cash-flow situation. If we could fill those 520 houses, which is impossible, of course, we would have 520 houses available for people on the waitlist. What is a reasonable number? That is a good question. It is a reasonable performance indicator for the Department of Housing to keep that number as low as possible.

The other point the member made was about the maintenance contracts. I have raised in Parliament before that I am not happy at the moment with how the department has implemented this program. It is working on improving it. This program, I have been told, is very successful in New South Wales, Tasmania and Victoria. I repeat that I am not happy with the way the department has implemented it, and I will be keeping a very strong watching brief on it.

PUBLIC HOUSING — WAITLIST

715. **Mr M. McGOWAN to the Minister for Housing:**

I ask a supplementary question. How does the minister explain the number of vacant houses jumping from 272 to 520, an increase of 248 houses since March, other than by the minister's new maintenance model?

Mr W.R. MARMION replied:

The nexus between the term maintenance contracts I will be looking into. But the issue is about keeping it as low as possible. I have mentioned that we are trying to do that. But there are more refurbishments. I will show the member another graph. That shows the number of refurbishments undertaken by our government versus the number of refurbishments undertaken by the previous government —

Several members interjected.

Mr W.R. MARMION: That is not as bad as the previous graph, of course. We are doing more refurbishments; and the more refurbishments we do, the more houses we have that are vacant.

CANNING BRIDGE PRECINCT VISION

Petition

DR J.M. WOOLLARD (Alfred Cove) [2.56 pm]: I present a petition from one person couched in the following terms —

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

I, the undersigned, say that the Canning Bridge Precinct Concept Plan —

This is for the Minister for Planning —

has not sufficiently considered the issue of future water level rise and has “transition areas” which encroach unnecessarily on current low-rise residential areas.

Now I ask that the Legislative Assembly urges the relevant authorities, including the City of Melville and the WA Planning Commission to:

1. re-examine the Canning Bridge Precinct Concept in the light of recently published changes to expected sea and estuarine water level rises of 90cms (plus storm surge) by 2100 and the accompanying insurance and infrastructure costs.
2. re-examine the Canning Bridge Precinct Concept Proposal in the light of residents' objections to higher densities in residential areas.
3. incorporate the “transition zones” of no more than 5 storeys in the Canning Bridge Precinct area only and not in adjacent residential areas.
4. keep building heights in residential areas outside those “transition zones” to present levels.

[See petition 338.]

Petition

DR J.M. WOOLLARD (Alfred Cove) [2.57 pm]: I present a petition from 20 persons couched in the following terms —

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

We, the undersigned residents of Western Australia, say that the draft Canning Bridge Precinct Vision ... proposes zoning changes that are: inappropriate and too substantial for the precinct; that exceed the Canning Bridge Station Precinct Study area ...; that create inequities and unfairness for numerous residents; that are entirely inconsistent with the existing character of the locality; and that will significantly increase traffic congestion and related traffic issues in the precinct and for everyone driving through the precinct. Further, there has been inadequate consultation with the community concerning the CBPV.

Now, we ask the Assembly to refer the CBPV for further investigation into:

- 1 The need to seek further comment from the Community.
- 2 The desire to confine any plans to increase density to the Study area.
- 3 The need for a comprehensive traffic analysis before progressing further.
- 4 The need to secure funding for traffic improvements in the precinct before progressing further.
- 5 The desire of allowing the existing City of Melville's Community Planning Scheme No. 5 zoning to be utilised to its maximum potential before moving forward on any plans to increase density.

[See petition 339.]

NO PRIVATISATION OF HOSPITALS AND SCHOOLS BILL 2010

Petition

MRS M.H. ROBERTS (Midland) [2.59 pm]: I present the following petition —

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

We, the undersigned, say the State Government should not privatise services in any hospital including Midland Hospital, Fiona Stanley Hospital, Albany Hospital and the new children's hospital.

Schools and hospitals are essential services that should be publicly owned and run. Public ownership is crucial in providing a system of accountability and responsibility to ensure high standards of quality and care.

Privatisation of essential services in schools and hospitals has failed in the past and will fail again. The Western Australian government can afford to provide us with quality public services, and we the undersigned do not want our schools and hospitals privatised.

Now we ask the Legislative Assembly to urge the Premier & Treasurer Colin Barnett to vote in favour of, and encourage other Liberal Members of Parliament to vote in favour of, the No Privatisation of Hospitals and Schools Bill 2010.

This petition contains 14 821 signatures.

[See petition 340.]

FLAG MOTOR LODGE, GREAT EASTERN HIGHWAY

Petition

MR E.S. RIPPER (Belmont — Leader of the Opposition) [3.00 pm]: I have a petition couched in the following terms —

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

We, the undersigned, say: The Flag Motor Lodge, Great Eastern Highway, Rivervale is a huge problem for all residents in Salisbury Road and the surrounding area. There have been numerous break-ins, burnouts, loitering on our properties, tipping of council bins and rubbish, ripping up lawns and parking of trucks on Salisbury Road.

Now we ask the Legislative Assembly to call upon the Minister for Police to install CCTV cameras and provide adequate lighting for our wellbeing and safety.

The petition bears 80 signatures.

[See petition 341.]

PAPERS TABLED

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

BILLS*Notice of Motion to Introduce*

1. Heritage and Planning Legislation Amendment Bill 2010.

Notice of motion given by **Mr G.M. Castrilli (Minister for Heritage)**.

2. Occupational Licensing National Law (WA) Bill 2010.

Notice of motion given by **Mr W.R. Marmion (Minister for Commerce)**.

3. Road Safety Council Amendment (Functions) Bill 2010.

Notice of motion given by **Ms M.M. Quirk**.

CRIMINAL CODE (ROCK THROWING AND LASER POINTING) AMENDMENT BILL 2009
CRIMINAL CODE (IDENTITY THEFT) AMENDMENT BILL (NO. 2) 2009

Removal of Notices — Statement by Speaker

THE SPEAKER (Mr G.A. Woodhams): Members, I bring you some advice in respect of standing order 144A. The orders of the day that appeared on the last notice paper as numbers 1 and 2 under private members' business—the Criminal Code (Rock Throwing and Laser Pointing) Amendment Bill 2009, and the Criminal Code (Identity Theft) Amendment Bill (No. 2) 2009—have not been debated for more than 12 calendar months and have been removed from the notice paper. For your information, members, I advise that a bill removed under this standing order may be restored by motion to the point it had reached prior to its removal.

**GOVERNMENT RESOURCING — MINOR PARTIES AND INDEPENDENTS —
 REFERRAL TO PROCEDURE AND PRIVILEGES COMMITTEE**

Matter of Public Interest

THE SPEAKER (Mr G.A. Woodhams): Members, today I received within the prescribed time from the Leader of the Opposition a letter in the following terms —

I wish to raise the following as a matter of public interest today.

“That this House refers the staff for votes deal between the Premier and Member for Fremantle to the Privileges and Procedures Committee for investigation into a contempt of Parliament.”

Yours sincerely,

ERIC RIPPER MLA
LEADER OF THE OPPOSITION

Members, the matter appears to me to be in order, and if at least five members will stand in support of the matter being discussed, the matter can now proceed.

[At least five members rose in their places.]

MR E.S. RIPPER (Belmont — Leader of the Opposition) [3.03 pm]: I move —

That this house refers the staff-for-votes deal between the Premier and the member for Fremantle to the Procedure and Privileges Committee for investigation into a contempt of Parliament.

We have evidence here; we do not have assumptions and ancient history. We have recent statements by the member for Fremantle that demand that this matter be investigated by our Procedure and Privileges Committee. The Corruption and Crime Commission has to look at matters of misconduct of public officers, and that is why I referred this matter to the CCC. But there is another aspect of this matter that is also very important, and that is the question of contempt of Parliament. The CCC cannot deal with questions of contempt of Parliament; that is a matter for this house to deal with, and a matter for every member of this house to think carefully about. It is particularly a matter for the Independent members to think very carefully about indeed.

I will quote to members some words from the twenty-third edition of Erskine May's *Parliamentary Practice*, published in 2004, on the subject of contempt of Parliament by improper influence. It states, at page 132 —

The acceptance by a Member of either House of a bribe to influence him in his conduct as a Member, or of any fee, compensation or reward in connection with the promotion of or opposition to any bill, resolution, matter or thing submitted or intended to be submitted to either House, or to a committee, is a contempt. Any person who is found to have offered such a corrupt consideration is also in contempt.

Further along, at page 147, it states —

Attempts by improper means to influence Members in their parliamentary conduct may be considered contempts.

Of course it is wrong for anyone in our community to attempt to improperly influence the vote of a member of Parliament. That is serious misconduct and a contempt of Parliament. There is also a long history in Westminster Parliaments of deep concern about the executive seeking to improperly influence members of Parliament. This issue has been debated over and over again, over many decades.

Dr J.M. Woollard: Isn't that what happens in here all the time?

Mr E.S. RIPPER: If it happens here all the time, it is a shameful reflection on the nature of this house. I think the member ought to reflect very carefully on that remark, because it brings the whole house into disrepute if that is what she thinks actually occurs in this place.

When an issue such as this is raised, it must be dealt with. The house cannot stand by and allow this issue to not be investigated. It has to be considered and it has to be dealt with.

I turn now to the evidence. Unlike the Premier, I am not relying upon ancient history and assumptions; I have recent statements made by one of the members involved in the relevant conversation. I do not have only one statement; I have four statements made on four separate occasions, each confirming that member's understanding of what occurred in the conversation. Let us go through what the member for Fremantle said. The first statement she made was made in innocence of the sort of comments that I or other people might make. In *The Sunday Times* of 7 November 2010, the member for Fremantle was quoted as stating —

“I went to the Premier seeking an additional staff member,” she said. “He said, ‘Yes, on the condition that you don't block supply and you don't support a vote of no-confidence in the Government’.

Having been alerted to the serious implications of her remarks, the member for Fremantle told television stations the next day that it was her view that those were the conditions that were agreed to that would entitle her to an additional staff member.

She made a further statement during the matter of public interest debate last week. Again, she confirmed her account of what happened. She stated —

My understanding from my meeting with the Premier was that I would be able to have an additional staff member if I agreed to two conditions that are commonly sought from Independents. The first was that I would not block supply.

Further along, she stated —

The second was that I would not vote in favour of a no-confidence motion against the government.

It is true that in that same speech she said that it was possible that when two people meet there can be a misunderstanding, but she never, ever resiled from her account of the events. She took another opportunity—I am sure this was welcomed by the Premier—to write an article for the Wangle website —

I wrote to the Premier five months ago seeking an extra staff member. I didn't hear back. I met with the Premier on 14 October to discuss it. My understanding of our conversation was that I would get the staff member if I agreed to the following two conditions that are commonly applied to Independents:

I wonder where she got that idea!

The first was that I would not block supply—I agreed to this because I abide by an unwritten convention of MPs to support the State Budget so that our essential services like hospitals and schools remain funded, so that our public servants get paid.

The second was that I would not support a no-confidence motion against the whole of government.

Unlike the Premier, I do not have assumptions only; I have four sets of statements from the member for Fremantle characterising the conversation that she had with the Premier. Those four statements from the member for Fremantle say very clearly to me that a deal was done—a benefit for her would be extra staff in return for her votes in support of the government on confidence and supply in this house. That is serious misconduct. That is contempt of Parliament. That is something that this house must require an investigation of. This house has to stand up for its rights with regard to the executive's attempts to suborn the votes of members of Parliament.

That evidence comes from one of the members involved; that is, the member for Fremantle. The other member, the Premier, denies a deal. But have a look at how weak the Premier's defence is! He admits that the two issues were discussed in the same meeting. He admits that he was the first person to raise the issue of the member for Fremantle's votes. Why would the Premier even raise such an issue in such a discussion? She has made an arguable request: can I have additional staff like other people have? The Premier said he raised the issue of votes. Clearly, the Premier took the opportunity. He admits that he raised the issue of votes in response to her request.

What do other people say about the believability of the Premier on this issue? One commentator writing in *The Sunday Times*, Joe Spagnolo, said —

To borrow a line from Opposition Leader ... Who is telling the truth?

That was his view. Rebecca Carmody, also writing in *The Sunday Times*, said the Premier's explanation of the conversation "defies belief". It is not just Labor people who think that the Premier's defence is very, very weak; it is not just Labor people who feel that his explanation has been incredible and unbelievable, and that the member for Fremantle's version of events is the version that should be preferred; it is outside people looking in at that conversation.

The questions to ask are whether this was planned or whether it was simply opportunistic when the Premier saw the direction of the conversation, and whether it was a mistake by the Premier, or was it indeed a misunderstanding? I think that the whole area of misunderstanding is completely unlikely. The possibility of a misunderstanding has only been raised belatedly and once the heat has gone on. It has the feel of a very much after-the-fact, belated defence when the serious implications have begun to sink in. It is not a mistake or a misunderstanding; it was either a plan that the Premier had or it was an opportunistic demand by him when he saw the possibility of strengthening support for his government.

Why do I say that? We know from leaks from the York gathering of the Liberal Party that the announcement that the member for Fremantle was to support the government on supply and confidence was to be a big announcement for the first week of this three-week sitting of Parliament. We know that because the Premier boasted to the York gathering of the Liberal Party that he had the member for Fremantle's support on confidence and supply issues. This was to be a stroke of political genius. At the start of the last three weeks of Parliament we have an additional number in the house on confidence and supply; we have boosted the security and standing of the government. At that York event the Premier boasted that this would happen, and he gave the member for Vasse credit for brokering the deal. He wanted to do that because there is a bit of discontent among the Liberal backbench about the expected elevation of the member for Vasse to the cabinet. There was a lot of work done at the York gathering to settle down the backbench and to prepare the ground for the member for Vasse to come back into cabinet.

The Premier is being too clever by half on this matter. He has been too arrogant. He has exhibited the classic fault of Liberals in government: they believe they are born to rule! They believe that by definition Liberals are incapable of misconduct and they do not believe that the rules should apply to them. The pesky, troublesome rules are for those nasty Labor people! They are not for those people who ought to be in government; they are not for those people born to rule. Those pesky, troublesome accountability rules can be ignored if one is a member of the Liberal Party in government.

What are the Premier's defences? We have had the defence so eloquently put forward to the house by the member for Alfred Cove which basically goes, "Everyone pork-barrels." This is not pork-barrelling. Pork-barrelling is not a nice thing, but this is not pork-barrelling. The second defence is that members need resources. It is arguable whether members need resources. It certainly becomes very dodgy when the Independents who happen to support the government are given, per capita, more resources than members who belong to opposition parties.

Dr J.M. Woollard: It is okay when it's Carmen Lawrence, is it?

Mr E.S. RIPPER: So, one defence is that members need resources. This is about the linking of resources to votes, member for Alfred Cove! It is not about resources per se.

The ACTING SPEAKER (Mrs L.M. Harvey): Order, members! Hansard has no chance whatsoever to record any of this speech. Please keep the interjections to a minimum. The Leader of the Opposition has the call.

Mr E.S. RIPPER: So the third pathetic defence put up by the government and by the member for Alfred Cove—the government's most capable advocate on this issue—is that other governments have provided resources to minor parties and to Independents. But the key point is this: in those cases there is no link between the resources and the vote; no link whatsoever.

At question time the Premier raised the issue of resources for the Greens (WA). No additional resources were provided to the Greens during the period of the Gallop government and certainly none in connection with any bill. An additional staff member was offered during the period of the Carpenter government to assist with the management of the legislative load. It was accepted; it was not linked to any votes. The current government has continued that arrangement. That is just a furphy. That has nothing to do with it. That is made up by the Premier. It is a case of deny, delay and counterattack. The process has nothing to do with it. We have not had a cabinet decision on the question of the member for Fremantle. When we do get a cabinet decision, no doubt there will be no formal condition written into the cabinet decision. What is important about this issue is not the cabinet decision; it is the conversation between the Premier and the member for Fremantle during which they did the

deal, and no doubt the Premier said, "I'll take it to cabinet". He was not going to take to cabinet the condition that the member for Fremantle would vote with the government. That is the deal between him and the member for Fremantle. That is in the personal conversation evidenced in four sets of statements by the member for Fremantle.

We now move to the final defence of the Premier, which is that it did not happen. That is basically his defence: it did not happen. Premier, the member for Fremantle said that it did happen. She said four times that it did happen. She said that it did happen, even when she knew that there would be serious implications for making that sort of statement. Therefore, how believable is the Premier on this issue? How credible is the Premier? In my view he is not very credible, not very believable; and that also is the view of other people who have looked at the circumstances.

In any case, whether or not the Premier thinks he is believable, when an issue such as a contempt of Parliament is raised, the Premier really has no alternative but to support referral to the Procedure and Privileges Committee. The Premier really has no alternative because this house has to defend itself against contempts of Parliament. This house has to stand up for its rights. It would be absolutely outrageous for the Premier and his members to use their numbers, including the number of Independents, to prevent this matter being examined.

DR J.M. WOOLLARD (Alfred Cove) [3.21 pm]: I will not be supporting this motion, but I may support —

Several members interjected.

The ACTING SPEAKER: Order, members!

Dr J.M. WOOLLARD: Why do we not send to the Procedure and Privileges Committee the issue of bullying that goes on in this house?

Several members interjected.

Dr J.M. WOOLLARD: The bullying in that house, too.

Why do we not send to the Procedure and Privileges Committee the issue of bullying that went on in this house of the members for Kingsley, Carine and Nedlands to influence their voting? That bullying was all to influence their voting when the opposition sat on this side of the house.

Mr A.P. O'Gorman interjected.

The ACTING SPEAKER: Member for Joondalup!

Dr J.M. WOOLLARD: Members opposite are attacking the member for Fremantle simply because she has asked for equity —

Several members interjected.

The ACTING SPEAKER: Members!

Mr P. Papalia interjected.

The ACTING SPEAKER: Member for Warnbro!

Mr M. McGowan: Leave the member for Fremantle some time. Don't take all the time!

The ACTING SPEAKER: Member for Rockingham and member for Warnbro, I have been on my feet for, it feels like, a number of minutes now. I have given the call to the member for Alfred Cove. Please cease the interjections.

Dr J.M. WOOLLARD: The member for Fremantle has asked for equity in parliamentary —

Mr A.J. Waddell interjected.

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

Dr J.M. WOOLLARD: The member for Fremantle has asked for equity in parliamentary resources equivalent to the parliamentary resources that have been given to the members for Kalgoorlie and Alfred Cove—the same resources that I have been given.

Several members interjected.

Dr J.M. WOOLLARD: For two terms in this house I asked for additional resources from opposition members when they were in government. No! They refused to give them. I knew that Carmen Lawrence had given them to Independents when she was the Premier. But no, opposition members refused to give them, even though Independents work very hard.

Several members interjected.

Dr J.M. WOOLLARD: The Leader of the Opposition has just misled this house. He just said that there is no link between supply, motions of no confidence and parliamentary resources. Go on the internet, Leader of the Opposition. On the internet there is a memorandum of understanding between Nick Greiner, Clover Moore, John Hatton and Peter Macdonald. The first aim of the memorandum of understanding related to supply and the second to motions of no confidence.

Several members interjected.

The ACTING SPEAKER: Members!

Dr J.M. WOOLLARD: Further on, the memorandum of understanding refers to parliamentary resources. When we talk about parliamentary resources, we should also look at private members' business. That is something that should be referred to the Procedure and Privileges Committee. Why should the opposition have control of it? The Independents should have more time in private members' business.

Several members interjected.

Dr J.M. WOOLLARD: Why should the opposition have control of private members' business?

Several members interjected.

The ACTING SPEAKER: Members, once again I call the house to order!

Dr J.M. WOOLLARD: This motion is just a nonsense. It is a point-scoring exercise. It is a game.

Mr A.P. O'Gorman interjected.

The ACTING SPEAKER: Member for Joondalup!

Dr J.M. WOOLLARD: The motion attacks the member for Fremantle over and over simply because she has asked for some equity in parliamentary resources. She has asked for some additional resources because she cannot come into this house and just look and see which side of the house her party —

Several members interjected.

The ACTING SPEAKER: Member for Warnbro and Leader of the House, I call you to order!

Dr J.M. WOOLLARD: The member for Fremantle cannot walk into the house and look and see which side of the house her party is sitting on and go and sit on that side. She will be asked when she walks into the house why she is voting a particular way, and she will have to answer.

Point of Order

Mr M. McGOWAN: Madam Acting Speaker, I draw your attention and the attention of the member for Alfred Cove to standing order 101, which sets out the time for debate. "Other members" have five minutes in total. I draw the member's attention to the fact that she has now used nearly four of those five minutes. I would have thought she might want to leave some time for the member for Fremantle to have a few words.

Mr R.F. Johnson: That's not a point of order!

Mr M.J. Cowper: You're the policeman now!

The ACTING SPEAKER (Mrs L.M. Harvey): That is not a point of order, member for Rockingham, and I point out to the house that the member for Alfred Cove might get through her speech somewhat faster if the interjections ceased. Member for Alfred Cove.

Debate Resumed

Ms R. Saffioti interjected.

The ACTING SPEAKER: Member for West Swan, you can challenge the Chair only by substantive motion. I call you to order for the second time.

Dr J.M. WOOLLARD: I think that the house has wasted enough time on this issue.

Mr A.P. O'Gorman: You waste more time in this house than any other single member. You alone waste more time.

Dr J.M. WOOLLARD: No, no. Unless —

Several members interjected.

The ACTING SPEAKER: Member for Joondalup, I call you to order for the first time!

Dr J.M. WOOLLARD: As I was saying, as Independents we have to review the legislation. We have to come into this house and we have to tell our constituents why we are voting on legislation. We have to review each piece of legislation. The member for Fremantle needs additional parliamentary resources. She does not have

party resources. That is why she would have gone to the Premier and asked for additional resources. I hope that when cabinet reviews that request, it gives her additional parliamentary resources.

[Independent members' time expired.]

MRS M.H. ROBERTS (Midland) [3.28 pm]: We are debating this issue today for one key reason—that is, because the member for Fremantle said that she had a done deal. That is what she went away from the Premier thinking. It is what she told *The Sunday Times* and it reported that the week before last. It is what she said when she was on Channel Two and Channel Nine news on that Sunday evening. It was a simple deal: she had asked for an extra staff member. The Premier had offered in return that, provided she supported supply and confidence in the government, she would get the extra staff member. We then spent all last week listening to the Premier and the Premier saying, “No, look, let me just explain it.” He said something like this: “We had a meeting. The first part of the meeting where I had a staff member in attendance we discussed the member for Fremantle’s office.” Clearly her office, the office that was adequate for a minister in our government, is not adequate for the current member for Fremantle. So, she raised that with the Premier. The staff member, for whatever reason—perhaps he was asked—left the room, and we are told that the Premier and the member for Fremantle had a further discussion. It was a discussion that the member for Fremantle went away from in the certain knowledge that she had done a deal. The member for Fremantle would support the government on matters of supply and confidence and the Premier, in return, would give her a staff member. The Premier now says that that is not correct; that he gratuitously and separately raised the matters about the conditions or the terms under which the members for Kalgoorlie and Alfred Cove operate and what they do. Apparently the Premier gratuitously told the member for Fremantle about that. Rather than it being an actual conversation between the Premier and the member for Fremantle, we are supposed to believe that it was actually two separate speeches. The member for Fremantle gave a speech about her need for staffing resources, and the Premier gave a speech about the member for Alfred Cove and the member for Kalgoorlie and the conditions about their support for the government and how they received a staff member in return. Again, last Tuesday in this house the member for Fremantle repeated exactly the same claim—that it was a deal and that she was operating under the expectation that she would support matters of supply and confidence and that she would get a staff member.

However, I think we need to look at this in greater context. The member for Fremantle was elected to this place on 15 May 2009. We know that before the end of 2009, the member started a relationship with the then Treasurer. We know that, for example, on 18 February, they were in a motel together in Albany. The story of their affair broke on Perthnow on 24 April and it ran in *The Sunday Times* on 25 April. Having then come out about her affair with the then Treasurer, and having then resigned from the Greens party —

Several members interjected.

Mrs M.H. ROBERTS: The key point is that on 31 May, the member for Fremantle realised that she did not have enough staff to do her job as the member for Fremantle. She did not realise and she did not approach the Premier for an additional staff member for her electorate office until —

Mr R.F. Johnson interjected.

Mrs M.H. ROBERTS: In April she came out about her affair, and in May she put out her hand. She wrote —

Several members interjected.

Mrs M.H. ROBERTS: These are the facts.

Mr C.C. Porter: What are you saying?

Mrs M.H. ROBERTS: I am saying that we found out publicly about the affair in April, and that for the first time, on 31 May—as she told the house on this day last week—the member for Fremantle wrote to the Premier seeking an additional staff member. Last Tuesday, the member said that she needed an additional staff member for her electorate office—for her electorate office! I underline that point, because she did not say that now she was an Independent member, she needed a research officer, but, “I need that staff member for my electorate office.” The member then went on to say —

Several members interjected.

Mrs M.H. ROBERTS: Madam Acting Speaker, I am finding it difficult to say even one sentence here without being interjected upon. I call upon you for your assistance.

The ACTING SPEAKER (Mrs L.M. Harvey): Members, during this debate I have called the house to order a number of times regarding senseless interjections. I have given the call to the member for Midland and I do not want to hear from anyone else at this moment, please.

Mrs M.H. ROBERTS: The member for Fremantle went on to say that this issue is about equality and fairness. It is not about equality and fairness.

Several members interjected.

Mrs M.H. ROBERTS: Madam Acting Speaker, if people here disagree with what I am saying, they will have the opportunity to stand to make their own speech.

Several members interjected.

Mrs M.H. ROBERTS: The member for Fremantle said her constituents deserved the right to benefit from an appropriately resourced member of Parliament. She said that she was trying to get equity for members in this house. Far from that! The other Independents in this house already had the extra resource. She was not doing anything for them; she was doing something for herself. If it is appropriate for that member to benefit, surely it is appropriate for other members to benefit. Members opposite can pay lip-service to it; they can say what they like, but this is nothing but —

Mr B.J. Grylls interjected.

The ACTING SPEAKER: Minister for Regional Development.

Mrs M.H. ROBERTS: This smacks of being a rort. Why should executive government determine the resources for one member of Parliament, whose vote they need, compared with the resources for other members here? The Premier says that he has not prepared his cabinet submission yet; he is still stringing the member along. She wrote on 31 May. He met with her in October. At this stage last week, he said that he had not yet prepared a cabinet submission. He says that he is following a proper process because he is taking the matter to cabinet. If the Premier is saying to an Independent member of this house that he is contemplating taking a matter to cabinet and that the member may get the asked-for member of staff because of that, I would suggest that he is stringing the member along. At some point the Premier will take the matter to cabinet. Implicit in saying that he will take the matter to cabinet is the cabinet's approval, because I do not think that the Premier would take a submission to cabinet for an additional staff member, or a proposal as he did for the other Independent members, and that cabinet members would turn around and say, "Premier, we do not agree with you." Keep in mind that this is the Premier who often talks about how a Liberal Premier picks his own team. Imagine the people in the Premier's handpicked team saying, "No, Colin; we do not agree with you on that." I cannot see that happening.

Several members interjected.

Mrs M.H. ROBERTS: This whole situation beggars belief. The old saying is: if something looks like a duck, waddles like a duck and quacks like a duck, it is a duck. This looks like an inducement, it sounds like an inducement and it has the effect of an inducement. It is an inducement that is not available to other members of this house. Throughout this time, the member for Fremantle is waiting to find out whether she will get this extra electorate office resource that she has asked for. What is she going to do in the meantime? She knows that cabinet ministers and the Premier will decide on whether she will get a one-third increase in the resourcing of her office. At some stage the matter will go to cabinet. Maybe it will not go to cabinet until next year. Through that time, how independent are we to think the member is in her voting? Another issue that beggars belief is the Premier's response when asked whether the former Treasurer is involved; he said that was "fruit-loop stuff". I think there might be just a little bit of pillow talk.

Several members interjected.

Mrs M.H. ROBERTS: For the Premier to ignore that is just plain wrong. To suggest to anyone in the public that the former Treasurer and his girlfriend do not talk about it beggars belief.

MR C.J. BARNETT (Cottesloe — Premier) [3.38 pm]: I have been here for 20 years, and I have never heard such an atrocious, inappropriate, personal attack by one member of Parliament on another. For a female member of Parliament to so viciously attack another female member means this Parliament has reached a new low. Does the Leader of the Opposition support that attack?

Several members interjected.

The ACTING SPEAKER (Mrs L.M. Harvey): Order! Members! Once again the house has descended into chaos. Member for Bassendean, I call you to order for the first time. Member for Pilbara, I call you to order for the first time. Premier, you have the call.

Mr C.J. BARNETT: Talk of sleepovers and pillow talk! The member for Midland has been here nearly as long as I have. She knew exactly what she was doing then. She set out to denigrate the member for Fremantle and she did a good job. Congratulations! She did a good job with a personal attack on someone's personal life. That is what she did and that is what I gather all members opposite support. Does the member for Victoria Park support personal attacks? Does the member for Belmont support them?

Mr E.S. Ripper: Of course I support the member for Midland.

Mr C.J. BARNETT: Does the member for Rockingham support personal attacks? Does the member for West Swan support them?

Mr B.S. Wyatt: I certainly do not support your personal attacks in the past, that's for sure.

Mr C.J. BARNETT: Does the member for Maylands support a female member in here attacking another member over her personal life? Where does the member for Maylands stand?

Mr E.S. Ripper: Will you agree to an inquiry or not?

Mr C.J. BARNETT: When the member for Alfred Cove spoke we heard what can only be described as sledging from male members opposite. Members opposite at the back interrupted with continual sledging. After the sledging —

Dr A.D. Buti: What about the way you attacked the member for West Swan?

The ACTING SPEAKER: Member for Armadale, I am on my feet. Premier.

Mr C.J. BARNETT: We heard —

Ms R. Saffioti: When I was heavily pregnant.

Several members interjected.

Mr C.J. BARNETT: Madam Acting Speaker —

Mr D.A. Templeman: You are a pathetic, weak Premier—that's what you are.

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

Mr T.G. Stephens interjected.

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

Mr T.G. Stephens interjected.

The ACTING SPEAKER: Member for Pilbara!

Mr P. Papalia interjected.

The ACTING SPEAKER: Member for Warnbro.

Mr P. Papalia interjected.

The ACTING SPEAKER: Member for Warnbro, I call you to order for the third time. Premier.

Mr C.J. BARNETT: I repeat, we have heard sledging of the member for Alfred Cove by male members opposite.

Several members interjected.

Mr C.J. BARNETT: We heard that attack on the member for Alfred Cove because she dared to challenge members opposite. Following that, which I am starting to think was an orchestrated attempt, we then heard an experienced member of Parliament, an eight-year minister, stand up and launch a personal attack on the private life of a member opposite. I have never ever seen that. Do members opposite think members on this side do not know a lot about the personal lives of members opposite? But we do not use it.

Mrs M.H. Roberts interjected.

Mr C.J. BARNETT: The member for Midland should be ashamed of herself for bringing in the personal life of a member of Parliament and for using the expressions she used. I used to have some respect for her; I have none for her now—none whatsoever. I have never heard anything as scurrilous in this Parliament as that. I take it that members opposite, from the Leader of the Opposition down, support her. I wonder whether that was an orchestrated slur on the member for Fremantle. What might it be about? Nothing more than the fact that the member for Fremantle beat Labor in its heartland seat of Fremantle. That is what it is about. Labor lost in a straight contest: Labor versus the Greens in the heartland seat of Fremantle. The Greens won and today members opposite took it out on the person who beat them in Fremantle. It was all personal; it was all totally inappropriate; and it was disgraceful. Not only the member for Midland but also other members opposite should be ashamed of themselves.

Point of Order

Mr J.N. HYDE: I have a point of order regarding relevance. The Premier has not once addressed the motion before the house. He is dealing with extraneous issues and personally sledging members of the opposition.

The ACTING SPEAKER: It is not a point of order.

Debate Resumed

Mr R.F. JOHNSON: I am hoping to get through my contribution in this debate without the hysteria we have experienced over the past half hour or so.

Mr M.P. Whitely: Is that the Premier's defence? Have we heard everything from the Premier yet?

Mr R.F. JOHNSON: Has the member for Bassendean had three warnings yet?

Mr M.P. Whitely interjected.

The ACTING SPEAKER: Member for Bassendean, I will give you the call if you seek the call. I have given the call to the Leader of the House.

Mr R.F. JOHNSON: I apologise, Madam Acting Speaker. The Premier thought I was making a point of order. I am going to speak after the Premier, who has not finished his speech.

Mr C.J. BARNETT: Last week, the Leader of the Opposition personally took the decision to refer this matter to the Corruption and Crime Commission. It was his personal decision.

Mr E.S. Ripper: Yes.

Mr C.J. BARNETT: I do not know whether members opposite will support him in the future on that. Members opposite accused me of corruption and other things. That is what they did last week. It is on the public record. This week he comes back and now it has to go to the Procedure and Privileges Committee. What will it be next week, the Privy Council? What is he doing?

Mr E.S. Ripper: Don't you believe that contempt of Parliament is important?

Mr C.J. BARNETT: I listened in silence to the Leader of the Opposition.

Several members interjected.

The ACTING SPEAKER: Members!

Mrs M.H. Roberts interjected.

The ACTING SPEAKER: Member for Midland. Premier.

Mr C.J. BARNETT: It was gutter private matters; gutter politics of the worst degree. It was nothing more, nothing less than gutter politics aimed at a female member on this side of the house who is an Independent. That is what this is about.

Mr M.P. Whitely interjected.

The ACTING SPEAKER: Member for Bassendean, I call you to order for the second time. I have said that I will give you the call if you seek the call, member for Bassendean.

Mr C.J. BARNETT: I move back to the motion. Last week I went through the events that happened in some detail. I will not go through them again but I will summarise them. The member for Fremantle approached me in writing seeking improvements to her electorate office, as members opposite and members on this side do. I met with her on that. I have forgotten the date. It was not a formalised meeting; it was not in my diary.

Mrs M.H. Roberts: The member said she wrote to you asking for an additional electorate officer, and not just about the office. She wrote to you asking about the officer.

The ACTING SPEAKER: Member for Midland, I have given the call to the Premier.

Point of Order

Mrs M.H. ROBERTS: You allowed incessant interjections while I was speaking. You did not name a single person opposite, yet when the same thing happens you make an entirely different ruling on this side of the house.

The ACTING SPEAKER: There is no point of order, member for Midland. You know you can challenge the Chair by substantive motion only. Premier.

Debate Resumed

Mr C.J. BARNETT: The member for Fremantle had approached me about an electorate office upgrade. I met with her. It was an informal meeting, as happens at Parliament House and as happens all the time. It did not appear in my diary. I obviously have very detailed diary records. A staff member attended that meeting.

Mrs M.H. Roberts: Did you table that letter, Premier?

Mr C.J. BARNETT: Yes, we tabled it last week.

Mr W.J. Johnston: You knew this was red hot; that's why you didn't put it in your diary.

Mr C.J. BARNETT: Oh, for goodness sake!

Mr W.J. Johnston interjected.

Mr C.J. BARNETT: I will continue.

Mr W.J. Johnston interjected.

The ACTING SPEAKER: Member for Cannington, I call you to order for the first time. I was on my feet.

Mr C.J. BARNETT: Madam Acting Speaker —

Mr W.J. Johnston interjected.

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

Mr W.J. Johnston interjected.

The ACTING SPEAKER: Member for Cannington, I call you to order for the third time.

Mr C.J. BARNETT: The member approached me; we met at Parliament House. It was not a formally arranged meeting. A member of staff attended, not to take notes, but to listen to the point about the electorate office upgrade, as occurs with members on both sides of the house, to try to make sure they have suitable accommodation that is secure and appropriate for their needs. As I said last week, that staff member left the meeting at that stage, because that was the only reason for the staff member to be there. We then talked about the issue of —

Mr M.P. Whitely interjected.

Mr C.J. BARNETT: No, he did not take notes. No notes were taken.

Mr M.P. Whitely interjected.

The ACTING SPEAKER (Mrs L.M. Harvey): Member for Bassendean!

Mr C.J. BARNETT: I spoke to the staff member after last week's debate and he informed me that he did not take notes.

Mr T.G. Stephens interjected.

Mr C.J. BARNETT: The discussion then went on to the member's request for an additional staff member. As I said last week, the member has a strong argument. As the member for Alfred Cove said, Independent members have extra demands on them. There is no doubt about it. They are charged with making their own decisions on votes on legislation. They do not have the benefit of sharing the task within a party. They do not have that capacity through additional staff that comes with being in government or, indeed, in opposition.

Mr M.P. Whitely interjected.

Mr C.J. BARNETT: I am not going to talk to the member.

The ACTING SPEAKER: Member for Bassendean, I call you to order for the third time. Member for Bassendean, if you seek the call, I will give it to you. I have given the call to the Premier.

Mr C.J. BARNETT: I explained to the member for Fremantle that, yes, the member for Kalgoorlie and the member for Alfred Cove have extra staff. I also think I mentioned that the member for Churchlands does not have extra staff as the member for Churchlands is a minister. As I said last week, I made the comment that the members for Alfred Cove and Kalgoorlie support the government of their own volition.

Mr M.P. Whitely interjected.

Mr C.J. BARNETT: Madam Acting Speaker, I cannot even hear myself.

The ACTING SPEAKER: Member for Bassendean!

Mr M.P. Whitely interjected.

The ACTING SPEAKER: Member for Bassendean, I have called you to order three times.

Dr E. Constable: Throw him out.

The ACTING SPEAKER: I do not want to do that. I want the debate in this house to proceed in an orderly fashion. Member for Bassendean, I have said that I will give you the call. I request that you stop interjecting.

Mr C.J. BARNETT: As I said last week, I made the point that the members for Alfred Cove and Kalgoorlie support the government.

Mr M.P. Whitely: Why?

Mr C.J. BARNETT: This was a conversation. We then discussed the merits of the request of the member for Fremantle. She made the point, as have other Independents previously, about the need for research staff and the

need to know how they should vote. I was also very conscious that, with the tight votes in Parliament, interest groups often want to meet with Independent members to discuss and raise issues with them because of the significance of their vote. That was the nature of the conversation. I do not believe I raised with the member for Fremantle the fact that both the member for Kalgoorlie and the member for Alfred Cove also undertake tasks on behalf of government, which is another justification for their additional staffing. I do not know whether I raised that matter, but it is a fact. As I said last week, the member for Alfred Cove has done wonderful work on improving therapy services for students in our schools. As a result of her advocacy and work on that issue, the government, through the Minister for Health, has committed an additional \$50 million towards those services. That is real work by a member of Parliament.

Mr D.A. Templeman interjected.

The ACTING SPEAKER: Member for Mandurah! I believe I gave the Premier the call. I think I have been pretty clear about what I mean when I give someone in this house the call. I have given the call to the Premier. I do not want to call you to order again.

Mr C.J. BARNETT: The member for Kalgoorlie also assists the government. In particular, he chairs the Buy Local committee, which is important in terms of —

Mr E.S. Ripper interjected.

Mr C.J. BARNETT: I do not need advice from the Leader of the Opposition. He thinks that this is a matter for the Corruption and Crime Commission. I think he should stick with that if that is his position and be accountable for that.

It is also a fact that previous governments have given additional resources to Independents and minor parties. Indeed, I make the point that, although the Greens (WA) do not qualify as a minor party for extra government funding, this government has, without conditions, provided extra staff resources to the Greens. The member for Alfred Cove, the member for Kalgoorlie and the Greens all receive extra staffing with no conditions attached from this government.

Mr M. McGowan: Did that go to cabinet?

Mr C.J. BARNETT: Yes, it did. The member for Rockingham was in cabinet. Can he remember —

Mr M. McGowan: So you hid that? We can't find out.

Mr C.J. BARNETT: The member should just go back out and find out whether a cabinet decision was made on funding the Greens when he was in government.

Mr E.S. Ripper: We can't find out about your cabinet decisions because they're protected from FOI.

Mr M. McGowan: It's a good hiding technique.

Mr C.J. BARNETT: That is ridiculous.

As I said last week, I was somewhat surprised when the member for Fremantle volunteered that she would support the government. I had not gone into that meeting with any thought or intention of trying to persuade the member for Fremantle to support the government. I went into the meeting to listen and respond to her request for additional staffing and improvements to her electorate office. I was very surprised when she said that she would support the government. Realising that that would be an issue for her in her electorate, I took some time to explain that supporting the government did not mean supporting the government on individual votes on legislation or on policy; all it implied was a commitment to support the government on supply or on no-confidence motions. It is exactly the same situation with the Gillard government and the Independents in Canberra. I did not go into that meeting seeking support from the member for Fremantle on supply or on no-confidence motions. It was something that she volunteered. And I have to say that I am very happy about it. I am very pleased that the member for Fremantle said that she would support this side of politics on supply. She saw—I hope I am not putting words in her mouth—supporting the elected government as quite appropriate as an Independent member. There is no condition or requirement on the cabinet decision. Indeed, I have no doubt that if there was an issue that the member for Fremantle felt very strongly about or, indeed, that the member for Alfred Cove felt very strongly about, they would vote as they saw fit according to their consciences. That is how they would behave. The proposition that somehow I can buy a member's vote is preposterous. That is an absolutely absurd proposition. However, the Leader of the Opposition did not hesitate. He raced off to the Corruption and Crime Commission and now he has come back into Parliament and said that it is a matter for the Procedure and Privileges Committee.

We have seen one of the grubbiest performances by members of Parliament in the history of Parliament, and certainly in the 20 years that I have been here. The member for Midland's resorting to gutter politics was frankly disgraceful. As a woman member of Parliament, she should be ashamed of her behaviour on that alone. The only

person I have seen in my 20 years in this place attack a female member was the former member for Peel, who launched a similar attack on a female member on this side of the house. That is the only other example I can think of. Hon Norman Marlborough made an absolutely disgraceful attack on a female member. I think that today the member for Midland has topped it in gutter politics.

MR R.F. JOHNSON (Hillarys — Leader of the House) [3.58 pm]: I rise to reject the motion. Obviously, I will not support the motion. I have known the Premier for close to 20 years.

Several members interjected.

The ACTING SPEAKER: Order, members! I have given the call to the Leader of the House.

Mr R.F. JOHNSON: The Premier has more integrity in his little finger than most members opposite have in their whole bodies. We heard the disgraceful comments from the member for Midland about the letter that was sent by the member for Fremantle. I have a copy of that letter written on 31 May. The member for Fremantle stated quite rightly, in my view, that she had resigned from the Greens (WA) and would appreciate the same sorts of benefits, if I can put it that way, that the members for Kalgoorlie and Alfred Cove get. She wrote —

I understand that Dr Janet Woollard MLA and John Bowler MLA have been allocated an additional staff member to assist them with the Legislative Assembly agenda and I respectfully request the same allocation. That is a perfectly respectable and reasonable request by the member for Fremantle. I would suggest that that may be forthcoming but, as the Premier said, it has to go before cabinet before a decision is made because that is the way we do things on this side of the house. What do members on the other side of the house do? I think this is a desperate attempt by a desperate Leader of the Opposition. He is a dead man walking. He has the sword of Damocles hanging over him. He is the temporary Leader of the Opposition and every day he gets more temporary. This is a desperate attempt by him to try to retain some credibility.

Mr M.P. Murray interjected.

Mr R.F. JOHNSON: It is not too bad at all. He should go and do that.

I have before me some comments by the Leader of the Opposition that I looked up. When we were in opposition, we moved a motion to send something off to the Procedure and Privileges Committee. It was about one of the Labor Party ministers. The then Deputy Premier stated —

The ... reason the House should reject this motion is that the Opposition in this House is in a terrible state of disarray. It has really bad leadership problems. Why should the House cooperate with, not an attack strategy, but a defence strategy. It is not an attack on the Government; it is a defence strategy for the Leader of the Opposition. There is no doubt that the Opposition is experiencing its dog days. It has an absolutely unelectable leader.

That is what the Leader of the Opposition said at the time and that is what I would say about him because he is unelectable. He knows that and even members of his own party are saying that behind his back, if he is not aware of it. He went on to say —

The argument I am making is that the Opposition has put forward this motion because of the disarray in its ranks.

Yes, absolutely —

The House should not cooperate with a desperate attempt by the Opposition to show a bit of vitality on the last day, —

This was the last sitting day at that time —

in order that the Leader of the Opposition can defend his position.

Mr E.S. Ripper: Who was the leader at that time?

Mr R.F. JOHNSON: The Leader of the Opposition should do his own research. He went on to say —

The Opposition is misusing the forms of the Parliament because of its own internal difficulties.

Mr M. McGowan: It could be made up. Tell us the date now.

Mr R.F. JOHNSON: I will give members the details. The Leader of the Opposition went on to say —

When an opposition is in those circumstances, it will sometimes conclude that attack is the best method of defence.

Mrs M.H. Roberts interjected.

Mr R.F. JOHNSON: I will come to the member for Midland. The Leader of the Opposition stated —

Opposition members are not really dealing with the issue of the Government's performance, but with that of its own performance.

I would say that in relation to the Leader of the Opposition.

The member for Midland has some gall coming into this place. She is the one who employed half her family when she was a minister. What did the Leader of the Opposition do when he was the Deputy Premier and Treasurer? I thought he made a very interesting comment about linking resources to votes.

Mr J.R. Quigley interjected.

Mr R.F. JOHNSON: The member for Mindarie has no credibility.

I wonder if the decision to employ Sharryn Jackson and others in the Department of the Premier and Cabinet went to cabinet. That position suddenly appeared. It paid about \$130 000 or \$140 000 a year. The position probably included a car and everything else. What did Sharryn Jackson and all the other minions that the Labor Party took on under her do? We are told that she used to organise regional cabinet meetings. I did that for free when I was cabinet secretary. We did not employ another person. In this case, it was a job for the girls. She organised all the press releases and all the benefits to the Labor Party's backbenchers when it was in government. Talk about an abuse of taxpayers' funds! The Leader of the Opposition was a master at that sort of thing when he was in government. We cannot trust him with the funds of this state. He will not be the Leader of the Opposition after Christmas. I am told that he is definitely going before Christmas and this is his last desperate attempt. The bells are tolling for him.

Mr E.S. Ripper: Are you hearing voices?

Mr R.F. JOHNSON: No, I am not hearing voices. The Leader of the Opposition will be gone before Christmas.

MR C.C. PORTER (Bateman — Attorney General) [4.04 pm]: I want to make a couple of opening comments. It is obviously a very serious matter to refer something to the Corruption and Crime Commission. It is never more serious than when it involves a member of Parliament. When I first became a minister, I did something with respect to the member for Perth that I now soundly regret. I sent a letter to the CCC asking it to investigate a matter involving the member for Perth and the former operation of the criminal proceeds confiscation grants.

Mrs M.H. Roberts: It was a terrible personal attack you made on him.

Mr C.C. PORTER: I am saying that I should not have done that. At the time, probably being somewhat inexperienced and thinking more as a lawyer than as a politician and elected member of Parliament, I genuinely believed at the time that that was something that required investigation. Upon two and a half years' sober reflection, I should not have done that. I was quite wrong, and I apologise to the member for Perth for that. I learnt a very valuable lesson. It was not because I did not have a genuine belief at the time that it was a matter of maladministration but it was clearly a matter of politics rather than of the law, and I learnt a lesson. I am sorry the member for Perth is not here to hear the apology but I will give it to him personally as well.

With respect to this referral, I want to make a procedural point because it is an important point to make. The Leader of the Opposition has referred this matter to the CCC, presumably because he believes it does or could possibly constitute serious misconduct. Is that correct?

Mr E.S. Ripper: That's right.

Mr C.C. PORTER: Members might recall that we had a debate in this place not that long ago about the Cliffe property. One of the salient parts of that debate was about the Procedure and Privileges Committee, which the Leader of the Opposition is now seeking to refer this same matter to.

Mr E.S. Ripper: There's another aspect to the matter.

Mr C.C. PORTER: The Leader of the Opposition should let me finish because I think this is an important point. During that debate a number of points were made about whether the CCC or the Parliament has jurisdiction when an allegation of serious misconduct about a member of Parliament in the conduct of his or her duties as a member of Parliament is raised. I recall quite distinctly the member for Rockingham saying in no uncertain terms that he viewed the present legal process as deficient because when an allegation of serious misconduct was made against a parliamentarian, it legally could not be investigated by the CCC. Does the member for Rockingham remember that?

Mr M. McGowan: I don't but I may well have said it.

Mr C.C. PORTER: Let me refresh his memory. He stated —

I want to reveal to the house how the law is currently inadequate to deal with these matters, —

He was talking about the Cliffe —

which means that a committee of the Premier's peers, including three government members out of five, is required to deal with this matter, rather than the independent body that dealt with the members for South Perth, Mindarie and Victoria Park.

Does the member remember saying that? He was quite right. Well done. The law as he exposed it to be is that, oddly enough, if it is a matter of misconduct simpliciter, it can be investigated by the CCC if it relates to a parliamentarian in the conduct of his or her parliamentary duties. That is correct. If it is an allegation of serious misconduct, the only place that can investigate the matter is Parliament. I put a simple question to the house. The law as I understand it to be, as the shadow Attorney General understands it to be and as the member for Rockingham understands it to be, says this: it can either be the Parliament through the privileges process that investigates this or nothing. It cannot legally be the CCC. Why did the Leader of the Opposition refer this matter to the CCC?

Mr E.S. Ripper: Why wouldn't you support this motion? If that's your view, you should vote for this motion; otherwise, you're voting for no investigation.

Mr C.C. PORTER: The Leader of the Opposition did not listen to the first thing I said. I very much regret doing something very similar to what the Leader of the Opposition has done now. In any event, it is a silly thing for me to regret in one sense because I asked the CCC to do something it could not possibly have done.

Mr E.S. Ripper: Attorney General, this is about the whole future of a government. There would be a much higher stake than a government facing a no-confidence motion or a vote on supply. The stakes are very high.

Mr C.C. PORTER: This is evidently about politics, and the Leader of the Opposition had a long time to plan a political strategy. Interestingly enough, the opposition will lose this vote based on the numbers. The only place that the Leader of the Opposition and his members say is legally able to investigate this is the place before us. That will mean that the CCC will be compelled under its own act to refer it up here to a place that would, pursuant to the motion before us today, if it fails, have been determined that it cannot be investigated. The Leader of the Opposition has shot himself in the procedural foot in probably the biggest way in Parliament's recent history. As the member for Rockingham pointed out, the CCC cannot investigate this matter. Now the debate becomes about whether it is appropriate to send this matter to the Procedure and Privileges Committee. That is a quite separate debate that members present have engaged in today. The fact is that the opposition referred the matter to a body that has no jurisdiction, by the admission of the opposition's own members. The vote and the debate on this motion will take its course, but this will be the end of the possibility to investigate the matter because the only body that can investigate it is Parliament.

MR J.R. QUIGLEY (Mindarie) [4.10 pm]: I thank the Attorney General for that very erudite summary of the law, but it overlooks one thing. When this matter goes to the Corruption and Crime Commission, it is a matter of whether the CCC looks at it as misconduct simpliciter or serious misconduct involving an offence with a penalty of more than two years. The allegation has been made and the CCC is yet to determine what it will make of the allegation and on what gradient it places the matter. The CCC can refer conduct simpliciter back to the Procedure and Privileges Committee and back to Parliament for investigation. I cannot imagine—yes, I can imagine—a cover-up by the Premier if the matter comes back to the privileges committee at the request of the CCC to look into what the government should do. No doubt the government would strike it down, even at the request of the CCC. Let us look at the CCC's view on these things. The CCC, of course, wrote a letter on 7 April 2009 to the member for Pilbara in relation to the member for Kalgoorlie and the other Greens (WA) member saying that there was no evidence to suggest there is a connection between the funding allocation to the Independent members for their support of the government. The member for Fremantle said in *Hansard* on 9 November —

My understanding from my meeting with the Premier was that I would be able to have an additional staff member if I agreed to two conditions ...

She then set out the two conditions, which were that she would not block supply or support a motion of no confidence. She then said —

Both of the conditions to which I agreed are consistent with my personal ethos ...

I cannot tell members what her personal ethos is; the member for Vasse could give us a better insight into her personal ethos. But when members start going on about —

Several members interjected.

Mr J.R. QUIGLEY: He is the de facto husband of the member for Fremantle, the same as I was the de facto husband of Michelle before we celebrated our nuptials when she went from being my de facto wife to my de jure wife. I am a lover, not a fighter. I very much look forward to the announcement of the nuptials between the members for Vasse and Fremantle. I was in a de facto relationship. They are often the precursor to a very happy

marriage, and I look forward to the happy marriage of the members for Vasse and Fremantle. The crucial issue is that there is a contest of the facts. The member for Fremantle said she did it for the money.

Question put and a division taken with the following result —

Ayes (24)

Ms L.L. Baker	Mr J.C. Kobelke	Mr J.R. Quigley	Mr C.J. Tallentire
Dr A.D. Buti	Mr F.M. Logan	Ms M.M. Quirk	Mr P.C. Tinley
Mr R.H. Cook	Mr M. McGowan	Mr E.S. Ripper	Mr A.J. Waddell
Ms J.M. Freeman	Mr M.P. Murray	Mrs M.H. Roberts	Mr M.P. Whitely
Mr J.N. Hyde	Mr A.P. O’Gorman	Ms R. Saffioti	Mr B.S. Wyatt
Mr W.J. Johnston	Mr P. Papalia	Mr T.G. Stephens	Mr D.A. Templeman (<i>Teller</i>)

Noes (29)

Mr P. Abetz	Mr M.J. Cowper	Mr R.F. Johnson	Mr A.J. Simpson
Mr F.A. Alban	Mr J.H.D. Day	Mr A. Krsticevic	Mr M.W. Sutherland
Mr C.J. Barnett	Mr J.M. Francis	Mr W.R. Marmion	Mr T.K. Waldron
Mr I.C. Blayney	Mr B.J. Grylls	Mr P.T. Miles	Dr J.M. Woollard
Mr T.R. Buswell	Dr K.D. Hames	Ms A.R. Mitchell	Mr J.E. McGrath (<i>Teller</i>)
Mr G.M. Castrilli	Mrs L.M. Harvey	Dr M.D. Nahan	
Mr V.A. Catania	Mr A.P. Jacob	Mr C.C. Porter	
Dr E. Constable	Dr G.G. Jacobs	Mr D.T. Redman	

Pairs

Mrs C.A. Martin
Mr P.B. Watson

Mr J.J.M. Bowler
Mr I.M. Britza

Question thus negatived.

BILLS

Appropriations

Messages from the Governor received and read recommending appropriations for the following bills —

1. Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010.
2. Appropriation (Consolidated Account) Capital 2009–10 (Supplementary) Bill 2010.
3. Building Bill 2010.
4. Building Services (Registration) Bill 2010.
5. Building Services (Complaint Resolution and Administration) Bill 2010.

**BUSINESS OF THE HOUSE — PRIVATE MEMBERS’ BUSINESS,
ALL STAGES OF BILLS, AND COUNCIL MESSAGES**

Standing Orders Suspension — Motion

MR R.F. JOHNSON (Hillarys — Leader of the House) [4.20 pm]: I move —

That for the remainder of 2010, so much of the standing orders be suspended as is necessary to enable —

- (a) bills to proceed without delay after the second reading has been moved or without delay between the stages;
- (b) messages from the Legislative Council to be taken into consideration on the day on which they are received; and
- (c) private members’ business to have priority on Wednesdays between 4.00 pm and 6.00 pm.

This motion is in line with similar motions that have been adopted in recent years for the last sitting weeks of the year. In past years the practice has included cutting out or reducing private members’ business and removing grievances. This motion, I believe, takes a more balanced approach; it will reduce private members’ business to two hours and will leave grievances in place, allowing members the opportunity to raise issues of concern to them and their constituents. The motion will also allow passage of legislation through all stages without delay and for messages from the Legislative Council to be taken on the day on which they are received. It will also allow bills to be brought on for debate without the necessity of passing an urgency motion for those bills that have not sat on the notice paper for the required three weeks. I acknowledge that the Legislative Assembly has been very effective this year in dealing with the government’s legislative program, and that we are not left with a

large backlog of legislation that has not been dealt with. However, I indicate that the house will be sitting later than normal on Tuesdays and Wednesdays for the remainder of the year to complete the legislation that the government requires to be passed.

MR M. McGOWAN (Rockingham) [4.22 pm]: It is true that in past years there has been agreement to some truncating of the processes of the house, so that private members' business and the like might be cut short. The opposition has agreed to that for the past two years of sittings under the Barnett government, and I think a similar arrangement was in place during the Gallop and Carpenter governments, so we therefore agree to it being cut back by an hour; that is not a problem for us. I am pleased that grievances will remain in place; they are an important component of our procedures for members on both sides, not just the opposition side, and we are supportive of them continuing over the last few weeks of Parliament. Let us be frank; they do not take up much time, really, in the overall scheme of things, and they give members a good opportunity.

I understand that the house will sit late and that the last few weeks of sitting will become very exhausting for some members, as the house sits later and later and starts at the same time; people get very tired towards the end of the sitting year, but that is simply a fact of life and we accept that it is a fact of parliamentary life that the Parliament will sit later.

I want to raise a couple of matters in relation to the legislation list. The government has said that we will need to sit later to get through the legislation that it demands must be passed by the end of the year. There are a few bills on the list—for instance, the Building Bill, for which I am opposition spokesman—that are significant. The Building Bill is an enormous piece of legislation that will significantly change the way the building laws of the state work. I will be expressing to the Minister for Commerce that it is a bit rich to introduce such laws, four very significant pieces of legislation of which one is on the list for this week and one for which the explanatory memorandum runs to 80 pages, at such a late stage. It is not fair on the legislation to expect members to trawl through and examine legislation of that magnitude and deal with it in such a short time. It is not fair on the house overall, if we want to provide proper scrutiny. That legislation was commenced under the former government, it is true; the idea of rewriting the building laws was commenced under the previous Labor government. As to whether the final outcome is something that would have been reached by the previous government is a matter for conjecture; who knows? But the Parliament has a role to examine that legislation appropriately.

The appropriation bills, the legislation to provide supplementary funding—I cannot quite remember the technical name—provide members with an opportunity for more general debate, and that debate is often quite significant because those bills authorise hundreds of millions of dollars of additional expenditure outside the budget. Members may or may not recall the amazing event last year in which the former Treasurer, the member for Vasse, when delivering those bills left out \$280 million of expenditure. I remember it vividly; I was acting shadow Treasurer at the time. Without the opportunity for parliamentary scrutiny, something like that might not have been discovered, and the information provided to the house to authorise that spending would have left out \$280 million. I would have thought that that was a significant issue that every member of Parliament should be concerned about. I give the government some warning that there may be some objection from the opposition to dealing with those two pieces of legislation in a particularly speedy manner, because they are significant.

In that context, I would also like to advise the Leader of the House that the Procedure and Privileges Committee presented a report to the house three or four months ago on changes to the standing orders that might make the house work more effectively. As we all recall, the recommendations included time limits on questions, which has recently been adopted by the federal Parliament; the provision of extra grievances for members; and the provision of extra 90-second statements for members on both sides of the house. I thought that all those initiatives were very sensible and could have been put in place before now. I have been in discussions with the Leader of the House on this matter; I do not think we have reached agreement as yet, but we have now reached the last two weeks of the year and if we want to actually change the procedures of the house to improve them as I think they should be improved—that is, to provide more opportunities for questions and answers in question time, and to provide more opportunities for members to bring grievances and 90-second statements to the house—we should resolve those matters this year.

Mr R.F. Johnson: I am composing a letter to send back to the Procedure and Privileges Committee in relation to the comments you just made.

Mr M. McGOWAN: We have been discussing it; we had a discussion about various options, and there was one sticking point at the end, but irrespective of the sticking point, it would be good to have some resolution on that matter. I am not pointing fingers, but as we saw in question time today, ministers can sometimes talk for an extremely long time and take up time that might be used for matters of more important public moment, and I think we all accept that. As I said during the debate, I was also guilty of that when I was a minister. If I ever become a minister again, I will be much less verbose than I was. It is time for humility! During the matter of public interest a moment ago I heard the Attorney General apologise to the member for Perth. I never thought I

would ever see that: firstly, the Attorney General apologising; and, secondly, apologising to the member for Perth! But he did. I will freely admit I might have spoken a little bit —

Mr T.R. Buswell: The Attorney General just departed in an ambulance! They just carted him off.

Mr M. McGOWAN: He has just gone off in an ambulance!

Mr D.A. Templeman: Muttering incoherently!

Mr M. McGOWAN: Looking at him, that is probably from malnutrition! He is the only member of this house who suffers from malnutrition!

Mr T.K. Waldron: He is a hard runner.

Mr M. McGOWAN: He needs to eat a bit more, as my mother would say.

Perhaps it is time for us all, in the spirit of Christmas, to accept that that Procedure and Privileges Committee report provided a blueprint for some improvements in the way this house might operate; therefore, I raise it in that context. I will seek advice from the Leader of the House after this on where it is at and what is going to happen. Maybe the Leader of the House would like to advise me now.

Mr R.F. Johnson: I am composing a letter to send to the Procedure and Privileges Committee in response to the recommendations that that committee put to the house. I will put some additional recommendations that I would like it to consider.

Mr M. McGOWAN: In any event it would be great if we could resolve it by the end of this year so that at the commencement of Parliament in mid-February next year we could have new standing orders, or this new arrangement. I would have thought that would be a good arrangement. Everyone, as I said, can be a beneficiary of a more efficient, effective and quicker parliamentary process in some respects.

Mr R.F. Johnson: I am certainly in favour of a more efficient running of Parliament, obviously.

Mr M. McGOWAN: To wrap up on that point, there was another suggestion by the Procedure and Privileges Committee that again escapes me. There were suggestions for grievances, 90-second statements and questions, and another point. The Leader of the House suggested that there might be some reduction in the granting of extensions to speeches, so that members can seek a 10-minute extension and perhaps members might be able to defeat that by putting in place a dissenting-voice arrangement.

Mr R.F. Johnson: I will be firming up on that suggestion.

Mr M. McGOWAN: As we discussed, that suggestion simply means that members cannot properly plan their speeches.

Mr R.F. Johnson: I want to make it so members can properly plan their speeches.

Mr M. McGOWAN: The Leader of the House might have accepted one of the suggestions I made.

Mr R.F. Johnson: I do not think so.

Mr M. McGOWAN: We will wait and see. We both know what was said, so —

Mr R.F. Johnson: It is my Christmas present to you!

Mr M. McGOWAN: We will see who was the progenitor of the idea when it comes before the committee. Can the Leader of the House give us any time frame on when that might happen?

Mr R.F. Johnson: I am hopeful the committee will get it this week. I am mindful that the member suggested to the Procedure and Privileges Committee his view on streamlining question time and so on. I just think it is appropriate, as Leader of the House, that I should do something similar. I will be putting that to the Procedure and Privileges Committee. I do not think it will take the committee too long to make a decision. My comments will be very simple.

Mr M. McGOWAN: I appreciate that. I think there will be one significant difference between the Leader of the House's suggestions to the Procedure and Privileges Committee and mine; that is, I wrote mine! I suspect the Leader of the House did not write his.

Mr R.F. Johnson: I dictated it, though.

Mr M. McGOWAN: Yes, I am sure you did—pigs might fly!

Mr R.F. Johnson: I can assure the member I am dictating exactly what I want to say to the Procedure and Privileges Committee. I will not handwrite it because the member would probably have a job reading my handwriting!

Mr M. McGOWAN: We are accepting of this. As members know, last week, because of Remembrance Day, by agreement we did not have grievances or 90-second statements. There has been a considerable amount of give by the opposition in relation to the running of the house. Once again, the opposition is being agreeable. I hope the government will respond in kind to the suggestions that we have made. As I said a moment ago, I am not sure that rushing through legislation like the Building Bill, which is an enormous piece of legislation, is the most productive or best way of using Parliament's time.

Question put and passed.

CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 2009

Third Reading

MR R.F. JOHNSON (Hillarys — Leader of the House) [4.34 pm]: I move —

That the bill be now read a third time.

MR J.R. QUIGLEY (Mindarie) [4.34 pm]: As noted during the second reading speech and during consideration in detail, this bill is necessary to bring the laws of Western Australia into line with the Australian laws governing child support in each other jurisdiction. As I mentioned during my second reading speech, it was a good call back in the 1970s—made by Sir Charles Court, as I recall; Sir Ronald Wilson probably advised Sir Charles—not to cede jurisdiction of family law in Western Australia to the Commonwealth of Australia. I was seeing whether the Attorney General was going to join us.

Mr R.F. Johnson: We are trying to get the Attorney General at the moment.

Mr J.R. QUIGLEY: That is why I was speaking slowly, Leader of the House.

Mr R.F. Johnson: I realise that. In his absence, I am sure I will be able to manage.

Mr J.R. QUIGLEY: Western Australia's law needed to be brought into line with the rest of Australia. Western Australia has its own child support laws but those laws have to reflect what is happening around the commonwealth, for if it were not to be so, it would mean that fathers who had exnuptial children in another jurisdiction could move to Western Australia and find legal sanctuary in Western Australia from child support payments being made, or recovered at least, from income that had not previously been treated as income for the purpose of child support. Although this Parliament protects the sovereignty of its jurisdiction to make laws for Western Australia and for all people residing in Western Australia, particularly in the area of family law—as I have said, parties can move quickly between jurisdictions, and bearing in mind that Western Australia is a standalone jurisdiction in family law—it is very important that our laws not only reflect, but tightly reflect, the national scheme. If that were not the case, a parent could abscond to this jurisdiction and find some sort of legal sanctuary from child support payments that might be recovered from income streams captured in other jurisdictions but were not hitherto captured in Western Australia.

It was necessary for the Attorney General to move two amendments to the bill he had brought before the chamber. They were amendments that the opposition supported, as we do the third reading stage of this bill. Those amendments were moved because, even between the drawing of the original bill and its presentation to this Parliament for debate, further amendments had been made at the national level that required further tweaking, and that is all it is, of the laws of Western Australia to deliver equity—I suppose that is a funny word—in terms of liability for payments of child support to all Australians. Those amendments were made so that mothers or fathers—whoever enjoys principal residence with their children—can recover from the other party exactly the same amount whether they live in Western Australia or in Sydney. For these reasons, we support this bill and have already supported the amendments that the Attorney General moved from the minister's table during consideration in detail.

There are other matters on the notice paper that have taken not much longer than this bill in the second reading and consideration in detail stages. They are my concluding comments. The opposition joins with the government in the passage of this bill through this chamber.

MR C.C. PORTER (Bateman — Attorney General) [4.40 pm] — in reply: I thank the member for Mindarie for his comments and for all the other comments that were made at the second reading and consideration in detail stages. It is very important that legislation of this types passes as expeditiously as reasonably possible through the Parliament. I will therefore not speak at length at this third reading stage, other than to say that in circumstances such as these, in which we enter into a mutual or harmonised scheme with the commonwealth and other states and do so in effect by mirror rather than template legislation, there are in my view some very serious benefits for the state in not giving away our sovereignty and not referring power over areas that have constitutionally and traditionally been that of the state Parliament. However, there is a procedural disadvantage to not signing up for template legislation; that is, this Parliament from time to time has to amend its own acts in accordance with the amendments that have occurred in the commonwealth jurisdiction. With a template scheme

it may be the case that everyone signs on to have exactly the same legislation and to automatically adopt the legislation. More often than not the legislation in Queensland's Parliament is used as the template, as the legislation has to pass through only one house of Parliament and the legislation that passes through that house of Parliament under a template scheme is automatically adopted in this jurisdiction. As a matter of federalist principle and constitutional principle, I do not think that is in most instances the optimal system; but when we do preserve parliamentary sovereignty, we are under an obligation to try to pass as quickly as possible the amendments that reflect the national system. In this case that has been done, although we are picking up a range of acts, some of which go back to 1990. It seems that the longer the act that is involved in this legislation, the less important it has been to maintaining that income stream. Nevertheless, I thank opposition members for their assistance and move again that the bill be now read a third time.

Question put and passed.

Bill read a third time and transmitted to the Council.

ENVIRONMENTAL PROTECTION AMENDMENT BILL 2010

Second Reading

Resumed from 10 November.

The ACTING SPEAKER (Mr J.M. Francis): Before I give the call to the member for Gosnells, I was remiss in not saying earlier, when the motion to suspend standing orders was passed, that the house will sit late tomorrow evening and there will be a dinner break between 6.00 pm and 7.00 pm.

MR C.J. TALLENTIRE (Gosnells) [4.43 pm]: I rise to support the Environmental Protection Amendment Bill 2010. This is a bill that the Labor opposition supports. There are a few points of concern, but fundamentally this legislation will help bring about a greater deterrent to those in our society who are inclined to believe that the cheap way to dispose of rubbish is by dumping it in areas of bushland, in nature reserves, in road reserves, in national parks and in other areas of our natural environment.

The penalties brought about through this legislation will be a significant increase on penalties that exist in other legislation. This amendment bill will bring into effect certain sections of the Environmental Protection Act that will enable officers from the Department of Environment and Conservation to fulfil inspectorate duties and to commence the process of prosecuting someone for the offence of illegal dumping.

The minister in his second reading speech outlined why this legislation is necessary, that it is an advancement on provisions that are currently in the Litter Act 1979, and that it is also somewhat complementary to other legislation that relates to environmental harm and pollution offences. It is fair to say that there is perhaps a gap in our environmental protection legislation that deals with this issue of illegal dumping.

Illegal dumping takes many forms. I think all members of this house would have been confronted, perhaps on a walk in bushland, with the offensive sight of rubbish that has been thoughtlessly dumped. That rubbish could be household refuse. It could be a trailer-load of building material from some sort of do-it-yourself works. It could be perhaps more sinister in its nature. It could be drums of some liquid, perhaps something relatively benign such as used cooking oils; or, more sinister, it could be toxic chemicals the provenance of which would be unknown to those who stumbled upon them, but of great concern because one's thoughts would immediately go to what would happen if these drums started to leak and there was leakage into the watercourses. There would be of course pollution of groundwater resources and streams, the threat of the release of toxins into the natural environment entering into the food chain, and the possibility of bioaccumulation through the food chain in different animals and plants. All sorts of problems, therefore, can arise from problems brought about by illegal dumping.

In some respects the new penalties that are proposed are not incredibly substantial. The suggestion is that the passage of this bill will result in maximum penalties for unlawful dumping. The maximum penalty in a successful prosecution of a body corporate is \$125 000, and \$62 500 for an individual. They are therefore significant penalties but I do not know that they necessarily reflect the seriousness of the offence. I do not think in many cases that the penalties reflect the potential remediation costs. I would be interested to hear from the minister about the provisions that are in place for recovering the costs of remediation when someone not only commits the offence of illegal dumping of waste, but also causes substantial costs to be incurred either by the state or by a local authority to clean up the terrible mess. There are, therefore, some issues that need further clarification.

There is no doubt about it as well that the risk of illegal dumping has increased since this house passed legislation that increased charges on the disposal of putrescible waste and inert waste. That, of course, is a measure that the government took to increase the revenue stream coming through various waste programs. It is a concern that people are feeling deterred from the correct disposal of waste to the point that they believe that their only option is to illegally dump. To that end, therefore, I can see that we need these tougher penalties. But I think

as well that we have to tackle this problem from some other positions, as in many cases the perpetrators of illegal dumping will be ignorant of the current penalties and probably ignorant of these revised penalties. We have to have in place other measures to ensure that the community appreciates what is at stake when illegal dumping occurs.

Another aspect relates to the issue of extended producer responsibility. I support putting responsibility on prosecuting those who commit illegal dumping, but I think we also need mechanisms that put some responsibility back on those who produce the products that eventually become our waste; in other words, those people who produce a product, derive a profit from its sale and who are, at the moment, not accountable for where that product ends up. We need to have in place a system that makes those producers accountable in the future. I know that we have discussed the issue of extended producer responsibility in this place in the past, but we need to see action on extended producer responsibility in Western Australia; only then will we have in place the systems that will ensure manufacturers of, for example, whitegoods are held responsible for a product throughout its life. Producers make profits from sales and should be in a position to recover the product at the end of its life. It is not that difficult for producers to organise. In fact, the added benefit of introducing an extended producer responsibility system is that it encourages product designers to make sure that their products are recoverable and that the resources in those products are valuable to the company in the future and can be reused. The company is, therefore, not a loser at all in this process, but in fact has a revitalised stream of product that it can use in the manufacture of new products. Many benefits would come about by way of an extended producer responsibility system.

When we venture around the state focussing on natural areas, we see the sorts of waste that abound. The Clean Up Australia Day group does a wonderful job and is quite scientific in its approach. The group collects data on various rubbish items. Based on data from the group's 2009 Clean Up Australia campaign, cigarette butts are the number one item in the top 10 rubbish items, which says something about the terrible industry that produces cigarettes. Cigarette manufacturers have entirely failed to make consumers feel somehow responsible for the waste created by the terrible habit of smoking. Cigarette butts are the number one rubbish item. The numbers two and three items on that Clean Up Australia list are glass alcohol bottles and aluminium alcohol cans. Those two categories of waste are far too present in our society. We have known for a long time the very simple remedy to the problem; that is, container deposit legislation. Under the Gallop and Carpenter governments, there was a very strong push to introduce container deposit legislation; in that system, which is working so well in South Australia and which many of us can recall from our youth here in Western Australia, a 10c deposit on a bottle or a drink can is reclaimed when the item is returned. Container deposit legislation would go a long way to solving the ever-present problem of glass alcohol bottle and aluminium alcohol can litter in both the natural and urban environments. I believe there is a real urgency for the current government to press on and to build on all the research and work done by the Carpenter and Gallop governments on the issue of extended producer responsibility and containers, and to bring in deposit container legislation. That needs to happen very soon. It would go a heck of a long way to solving much of our waste problem.

I think it was the member for Ocean Reef who told us that he had been in contact with the Coca-Cola company and had received a briefing from the Beverage Industry Environment Council—was that it, member?

Mr A.P. Jacob: That is so far from the truth it is not funny!

Mr C.J. TALLENTIRE: I recall the member for Ocean Reef attacking the concept of container deposit legislation. Is he now a supporter?

Mr A.P. Jacob: No; and it is not really something I can respond to by way of interjection. I would encourage the member to look at my contribution to that third reading debate. I was simply pointing out now that all metropolitan councils have given out mandatory recycling bins, it is a duplication of service. Do we then discard our recycling bins because everybody will be recycling by way of container deposits? Given that we all have yellow-top bins, do we have nothing to do with them?

Mr C.J. TALLENTIRE: Member, that is exactly the line put across by the beverage industry people; that we have a recycling system in place and therefore do not need container deposit legislation.

Mr A.P. Jacob: Probably because it is a commonsense line.

Mr C.J. TALLENTIRE: I put it to the member that we can quite happily have in place both systems; that it would work very well because at least 50 per cent of waste, the consumption of Coca-Cola and Fanta drinks, and alcoholic beverages occurs away from the home. The member's point is that the yellow-lidded recycling bins are doing a great job. They are a part of the solution, but they really work only for those beverages consumed in the home; they do not work for those beverages consumed away from the home. My point is that we need container deposit legislation to solve that problem.

Mr A.P. Jacob: There are capacity issues as well.

Mr C.J. TALLENTIRE: There are capacity issues; however, I am confident that in Western Australia, as studies have shown, the volume of recyclable material referred to by the member would be sufficient to ensure a strong industry based on the recovery of these waste materials.

Mr A. Krsticevic: The City of Stirling would say that it has the best recycling rate of any council in Western Australia.

Mr C.J. TALLENTIRE: With its single-bin approach?

Mr A. Krsticevic: The council collects all rubbish through a single bin; not just household things but other things. It sends the material to its recycling plant, which covers the issue that you are talking about—rubbish away from home. The council puts that rubbish through the same process and recycles it accordingly. Supposedly, according to the council's —

Ms J.M. Freeman: Imagine how much money it would make if they had a container deposit facility. They could take that money and use it to benefit the residents of the City of Stirling.

Mr A.P. Jacob: I think the issue has moved beyond that.

Mr A. Krsticevic: They already do that; that is all being done.

Ms J.M. Freeman: No; they do not.

Mr C.J. TALLENTIRE: Thank you for those comments, member, but where there is no separation of waste, the quality of the waste stream is reduced. Unfortunately, the information that I have suggests that the City of Stirling's approach is not a satisfactory one, and that the majority of councils in Western Australia prefer to have that separation at source to prevent contamination of the waste stream. Unfortunately, contamination still occurs, even with the yellow-lidded wheelie bins.

Mr A. Krsticevic: I will pass on your observations, member.

Mr C.J. TALLENTIRE: I would be very happy to talk to the City of Stirling about that in due course.

However, ensuring that we recover resources is an important issue. It is not central to this piece of legislation, but it is part of our overall attitude and approach when handling waste in this state.

The legislation before the house provides for authority to be given to some 200 people to investigate cases of potential dumping. That is good; however, I remain unconvinced that 200 people will be enough. The opposition also notes that the legislation provides that those people may commence an inquiry to investigate suspected illegal dumping but find there is a case for an environmental harm charge. I think it is a good thing that our Department of Environment and Conservation inspectors have the capacity to investigate situations and then be involved in laying the appropriate charges. I think our officers in the Department of Environment and Conservation deserve a strong degree of respect for that. Often, especially when they are operating in rural areas, they are part of the community, and working with local community members allows them to be very effective in their jobs. But it sometimes means they have to step out of their community role and become a type of environmental policeman or policewoman. That sometimes means that they must endure a degree of demonising. That is unfortunate, but I note that, on a number of fronts, officers from the Department of Environment and Conservation stand true to their department's mission and their own environmental principles. That has certainly been the case recently with land clearing. In some cases officers from the Department of Environment and Conservation have received all kinds of abuse and insults from some community members because they have been doing the job the state has rightly charged them with in investigating illegal land clearing. It could well be the same when it comes to the illegal dumping of waste. Sometimes those officers may be in situations in which they feel some degree of conflict with the communities in which they live. That is why we need to show our respect for the very good work they do.

I think there is much to support in this legislation. However, I have a concern that, although it is a single piece of legislation that will work well within the environment portfolio, it needs some connection with other pieces of legislation that will come before this house. The government is keen to bring on legislation that relates to building laws. That legislation contains provisions about demolition and how permits will be required by those involved in the demolition of properties. It is important to note that demolition waste is one of the biggest volume producers of waste in the state. We need to be sure that the people who gain permits for the demolition of properties become part of a system that enables them to recycle that demolition waste so that it can be re-used. There are many good examples around Perth of buildings that have used recycled material. I am concerned that too often people demolish a building and take the easy, cheap way out and get rid of the waste as cheaply as possible. Too often that means sending it to a tip, an inert landfill site. In some cases people dispose of that demolition waste in a way that will be in breach of this legislation. We need to make sure that legislation in other portfolio areas is consistent with the objectives of this bill. We need to make sure that bills such as the building laws that will come before this house encourage people to do the right thing not only by not littering or dumping,

but also by steering that bulky, inert landfill material away from the landfill end to better use as recycled material. That is the better way to go when it comes to dealing with things such as waste from demolition sites.

Other items of waste that give us a lot of concern are tyres and motor vehicles. We all know that about every 40 000 kilometres or so we are forced to change the tyres on our cars. Where do those tyres end up? What is the process for dealing with them? Too often tyres are dumped illegally. There is a real problem with that. Over the past 15 or so years, many efforts have been made to bring about a better system. Some progress has been made but, still, far too many used tyres are being dumped in natural bush areas around the metropolitan and outer metropolitan areas and beyond. We definitely have to work on that.

Mr A.P. Jacob: Those soft-fall playgrounds are a good example of how recycled tyres are used.

Mr C.J. TALLENTIRE: That is right. There are good uses for that material. They can be converted to something that makes very good playgrounds. There are ways in which these materials can be used. It just needs that initial bit of research to learn how to treat the material, to make sure it is processed correctly and to ensure there is demand for the end product. A great example given by the member for Ocean Reef was the use of used tyres to create soft-fall playgrounds.

I have made it clear that a few issues still need to be resolved with this legislation but, overwhelmingly, it is a positive step forward. I think the tougher penalties will be of use, but we must make sure these tougher penalties are well promoted. There is no point putting tougher penalties in place if the likely offenders are unaware of their existence. We must make sure people know that if they are caught dumping material illegally, they will face tough penalties with fairly significant charges. I will conclude my remarks there but confirm that the opposition will support this bill.

MS L.L. BAKER (Maylands) [5.06 pm]: I rise in support of the Environmental Protection Amendment Bill 2010. This legislation has the potential to provide extremely valuable improvements to the Environmental Protection Act. However, I have some concerns with it, some of which my colleague has already mentioned, and I will get to them. My interest in this is twofold. Firstly, in my electorate I have attended ratepayer association meetings and heard constant complaints, as I am sure many other members have, about what happens when a block of flats or a set of units are cleared out or strata title units are vacated and as a result a pile of unsightly rubbish is left on the street verge and no-one claims ownership of it. It is always hard to find someone to clear it away. That dumping of waste has been a common complaint since I became a member in 2008. I have heard it from many ratepayers. When we have caught up with the culprits, it has been almost impossible to bring charges. I hope the amendments in this bill will provide more stringent charges for people who commit these offences.

The first time I heard Minister Faragher talk about this was at the Eastern Metropolitan Regional Council Christmas party last year. After the party I put my hand out and said, "Congratulations; I think it's something we should have moved on a lot quicker." This issue also brings a very personal perspective for me because, as members will know, I live in the state forest—well, not exactly in the state forest; under a tree!

Several members interjected.

Mr D.A. Templeman: I hear you're an endangered species!

Ms L.L. BAKER: I am, definitely! In fact, I suspect I am one of a kind! I congratulated the minister because, as I have said in this house before, I spend much of my spare time wearing a pair of gloves, carrying around a chaff bag, picking up illegally dumped rubbish from the forest around my home.

Mr J.E. McGrath: What about in Maylands? Do you pick it up in Maylands?

Ms L.L. BAKER: Yes, I do.

Ms J.M. Freeman interjected.

Ms L.L. BAKER: I do not think there is any rubbish in South Perth. I think the member for South Perth is dedicated to picking up the rubbish in the reserves in South Perth.

Mr D.A. Templeman interjected.

Ms L.L. BAKER: Some say that, yes, and with rubber gloves on. In my electorate of Maylands, I have the Friends of the Baigup Reserve and the River Guardians. All these groups will be delighted with the amendments in this bill. My experience of living very close to state forest is that people have the most amazing ability to rationalise what they are doing when they dump rubbish. On occasions when I have been on my horse riding through the tracks where it is allowable —

Mr D.A. Templeman: What is your horse's name?

Ms L.L. BAKER: His name is Chocolate Obsession, but that is a story for another day.

Mr A.J. Simpson: The member for South Perth doesn't seem to think he has bet on him in a race yet.

Ms L.L. BAKER: No, I do not think he has bet on him, but I will give the member for South Perth the details in case we ever manage to hit the track again. I think he is a bit old for racing these days.

While we were hacking through the tracks one day, we came across a father and son in a car towing a trailer with a car body on the back. Effectively, they were trying to get the car body off the trailer to dump in the forest. I arrived when it was half on and half off the trailer, and I sat there on my horse looking at them.

Mr D.A. Templeman: And they said, “Look what we’ve found!”

Ms L.L. BAKER: No; in fact, I questioned them and asked, “What are you doing?” The father screamed abuse at me at a thousand miles an hour and said, “The car manufacturer doesn’t give you any bloody money back on this. I can’t take it to the tip because it costs me money to dump it. It’s not my fault. It’s all your fault for not giving me any good way of getting rid of this car.”

Mr M.P. Whitely: What did you and Chocolate Obsession do?

Ms L.L. BAKER: We were absolutely stunned by the ignorance of some people and the lack of respect that some people show for our forests. There was not much that I could do. There was not much that Chocolate could do either. We just plodded off into the distance amazed at some people’s logic.

Dr G.G. Jacobs: You should’ve told him to do it legally.

Ms L.L. BAKER: Yes; I often say to these people that there is a waste disposal centre about two kilometres away if they care to take their cars there, or they can take it to a scrap metal place; indeed, a scrap metal place will pay people to pick up their cars. People are generally very ignorant about the subject. When they are out in the bush, I do not think they really care whether dumping is a legal pastime. In their experience, they do not get any fines. They do not get punished. Nobody chases after them or takes them through the court.

When there has been illegal dumping that I simply cannot remove by hand, I make a habit of calling our local Department of Environment and Conservation officers who are based at Mundaring. I specifically mention Doug Giles and Rebecca Hamilton. I am now friends with both these DEC officers. They do an amazing job. Over the past 20 years that I have been living in that neck of the woods, they have come when I have called and have made arrangements to try to move the dumped building material, car bodies or tyres. One day I was driving down the road from my house and I noticed in what I hope is about to be gazetted as state forest —

Mr D.A. Templeman interjected.

Ms L.L. BAKER: No, the horse was at home.

I noticed that somebody had dumped a houseful of furniture. There was a lounge suite, a television set, a refrigerator, a washing machine and a few beds. It was all neatly stacked on the side of the road.

Dr G.G. Jacobs: It wasn’t council pick-up day, was it?

Ms L.L. BAKER: No, it was not. It was in the middle of two acres of national park. I pondered what might have happened. It crossed my mind that perhaps there had been a small domestic argument and somebody had got a bit cranky and decided to move out all the furniture and leave the house empty. On that occasion, I phoned the DEC officers and went through the normal routine of telling them how close it was to the road verge, how far into the forest it was, exactly which rock it was near and how many goannas they had to drive past to get to it so that they could find where it was. And, by golly, they had cleared it up by the time I got home. They really are quite remarkable and are to be applauded.

When I mention the work of the DEC officers in the Mundaring shire, I should also pick up on the point made by the member for Gosnells. He mentioned that these officers put themselves at some risk in doing this work. I can give members an example of this. I arranged to meet the DEC officers in the forest near my property nearly a month ago to show them the latest lot of illegal dumping. It was a bunch of bathroom tiles, carpet, building material, cornicing, paint tins, a range of chemicals, and plastic bags full of shavings from carpentry work. It was a building site dump. While we were bumping along the bush track in their four-wheel drive to get to where the rubbish was, one of the officers informed me that the previous day they had been watching a car that was parked on the edge of the forest for about 24 hours. They obviously supervise anything that looks suspicious. They had gone back at the end of the 24 hours and parked their DEC ute a bit further up the road. One of the female officers got out and walked back towards the vehicle. There was a gentleman sitting in the car—I am stretching the meaning of that word—who got out and threatened her with a knife. This poor officer did not deserve to be faced with that kind of behaviour. For all we knew, that person could have been at risk. He could have been suicidal. There have been very sad occasions on which people have committed suicide in parked vehicles near my property and we have found them a few days later. This DEC officer was trying to do her job and find out whether this person was safe, but instead she found herself facing a knife-wielding lunatic. Fortunately, her work partner was there and looked after her. These officers are put at great risk and in harm’s way on a number of

occasions by the irresponsible behaviour of people who think they have a right to access state forest and dump rubbish illegally. That is just not okay.

The other conundrum that I hope this legislation will fix is exactly who is responsible for what. I am not clear whether that will be the case with this legislation. One of the problems that we have had in the past—I have had meetings at the sites of these illegal dumpings and I have called the council, DEC officers, Water Corporation officers, local government rangers and LandCorp officers—is that there are usually three or four, and sometimes more, agencies involved. They have all kind of scratched their heads and said that the police cannot help because the rubbish has been dumped off-road so they are not technically able to help, and the most that the Water Corporation can do is issue a \$200 fine. They have gone through the list of who is responsible and what the fines are, and it has all been a complete palaver. At the end of the day, they think it is not worth pursuing this in any fashion. I hope that this bill will address this problem by making clear who is allowed to do what on which bit of land. I am not confident that this issue will be addressed by this amendment bill, but I urge the minister to take it on board and see whether she can solve the problem.

I understand that the volume and type of waste and mode of disposal are key factors. Whilst it may be fairly clear what that means, there might be some confusion when making an assessment on the spot about how big is big when we talk about volume and how significant is significant. As to the type of waste that is dumped illegally, I think it would cover most of the waste that I have encountered. I have mentioned car bodies and tyres. Last night I noticed that a dozen tyres have been dumped near my property over the past couple of days. I have also seen dumped car engines, bags of building refuse, paint tins and bags of household refuse. I am not clear whether the plastic garbage bags filled with household refuse—I have seen up to 10 of them—that are dumped in the forest would be covered. What about a trailer-load of weeds and prunings? Just last Friday I was driving home following a gentleman—again, perhaps that is a stretch of the word—who had a fully loaded trailer of prunings, some of which looked like oleander branches. He was beetling very cautiously down two kilometres of state forest road, which my property happens to be at the end of, looking furtively down a number of side tracks. I felt a bit guilty—I thought I might be accused of kerb crawling—but I crept quietly along behind him and followed him as he tried to stop and leave the road several times. I managed to intimidate him so much that he turned the car and the trailer around and promptly left. I am not there all the time and I do not really think that I am that threatening.

Mr D.A. Templeman: You live in a very unpleasant neighbourhood.

Ms L.L. BAKER: I know.

Mr D.A. Templeman: Which address is this? I must make sure I don't ever visit you.

Ms L.L. BAKER: I did this on my own.

Dr G.G. Jacobs: We'll give you a job!

Ms L.L. BAKER: I thank the minister.

I have mentioned the illegal dumping of whitegoods. Asbestos is also dumped in the bush. That is an extreme health risk. There is certainly nothing funny about seeing that. Are these things protected under the legislation? Do they all come under the heading of illegal dumping? I would be very pleased to hear whether they are.

In conclusion, I restate my most enthusiastic support for DEC officers and the incredible work that they do, and also my support for the Friends of the Reserves and the River Guardians who work so hard around the Swan River in my electorate. Friends of the Reserves volunteers pick up rubbish on a weekly basis. These are all remarkable people who do some remarkable work. I support this bill. The next time I encounter a person with a trailer-load of building refuse while I am walking in the bush, I look forward to saying, "Do you realise there is a \$62 500 fine for what you are about to do?"

Mr D.A. Templeman: You could make a citizen's arrest.

Ms L.L. BAKER: I did not mention that point, but am I allowed to make a citizen's arrest?

Ms J.M. Freeman: You can get yourself designated as an authorised person and then you can do the whole thing.

Ms L.L. BAKER: I might just do that because I am getting a little fed up with it.

Dr G.G. Jacobs: Just continue to do what you do and report it and DEC will follow it up, and basically the prosecution will be made after the evidence is collected.

Ms L.L. BAKER: I thank the minister. I look forward to the passage of this bill. I particularly look forward to seeing what I am sure will be an investment in signage so that the people who do go about illegal dumping cannot claim that they did not know and say that they have never done it before, it was their mates who did it and it cannot have been them as they were not really intending on dumping illegally. They come out with a range of

reasons for illegal dumping. When we put up a sign in a state forest, it generally lasts about a week and then someone pulls it down. The next time someone is stopped and asked what they are doing and they say there were no signs, we say that the person who was here last week knocked them down or stole them. I am very much looking forward to the education campaign that accompanies this bill and how it will be administered across the state. We do not want people claiming ignorance —

Mr D.A. Templeman: There will be a leaflet drop by air.

Ms L.L. BAKER: I thank the member for Mandurah for that contribution. I am hoping there will not be a leaflet drop by air. I thank the minister. I look forward to the bill and its adequate resourcing.

MS J.M. FREEMAN (Nollamara) [5.25 pm]: I too rise to support the Environmental Protection Amendment Bill 2010. It comes at an interesting time because I understand that regulations were recently introduced to increase the powers of the Environmental Protection Authority and its officers when carrying out surveillance. I am interested to know why such regulations were required at the same time as this bill was introduced, which seems to increase the powers of an authorised officer. How will those powers interplay with the new regulations that came into effect in the past three to four months?

I had the privilege of reading Hon Sally Talbot's speech on this bill in the other house, which has increased my knowledge of the regulations and the powers under the Litter Act 1979. I was interested to find out why we needed such a provision in this amendment bill when there seems to be a plethora of definitions relating to litter. Why are we increasing the powers of the Environmental Protection Act? That is a question that Hon Sally Talbot asked. She asked why we did not make those sorts of amendments and why we did not just increase the penalties under the existing act. The second reading speech states —

The existing offences in the Environmental Protection Act 1986 ... do not adequately allow for the control of dumping waste,

I say to the minister that that does not give me enough information. I would like to know why that is the case. I understand that amendments were made in 1993 or 1994 after a Supreme Court decision about waste. I would be interested to know why the Environmental Protection Act does not include an adequate allowance for that. The second reading speech continues —

as the requirements of those offences may make prosecution difficult.

I would like to know how that is known. It is often the case that prosecutors just want everything laid out for them. We need to ensure that we are not making legislation simply because we think we cannot prosecute when those provisions are there. I am interested to know why that is necessary. It is pretty simple why this bill is necessary. The government increased the landfill levy by 300 per cent. Local government, the opposition and many commentators warned the government that we were going to see an increase in dumping. It seems to me that that is what has occurred.

I note the member for Gosnells' comments about the disposal of building and other waste. I would suggest that part of that comes down to the cost. It is somewhat pleasing to see that the federal government is trying to deal with some of the issues involved with the dumping of cars that the member for Maylands spoke about—the bucks for bombs. The member for Gosnells said that we need to look at this differently and we need to go back to the source of the waste and not simply look at how we penalise people when they get rid of waste. People are saying that it is too expensive for them to take goods to certain places that they need to be dumped and that they cannot get someone to pick up a bomb.

In preparing for this debate, I thought of a funny story that my father and I sometimes share. He always loves to hear that he has been mentioned in Parliament. When we were younger and living in the Homeswest house that my parents purchased—it was much easier then to purchase a Homeswest house than it is today—my father dug a big hole in the garden, buried the car in it and planted a tree on top of the car. It is the healthiest damn tree in the whole suburb because, I am sure, it has fed on the waste of the car during all that time! I would not advocate that other constituents in Nollamara do that.

Mr A.P. Jacob: You obviously have iron-deficient soils!

Ms J.M. FREEMAN: That is right. I am sure that my father took out all the oil and other noxious things in the car, which probably did not contain as many noxious things in those days as they do today —

Mr D.A. Templeman: There was nothing in the boot was there?

Ms J.M. FREEMAN: No, there was nothing in the boot! My father will probably tell me off now for revealing that story, but the evidence is well and truly gone by now.

Hon Sally Talbot referred to research from the New South Wales Department of Environment, Climate Change and Water, which assessed the attitudes and the behaviour of residents to illegal dumping practices. The research

concluded that there was a belief that everyone does it and that there almost certainly will be no reprisals for doing it. I thought it was worthwhile mentioning Hon Sally Talbot's speech in this house because not all members have the time to read the speeches of members of the other place. The research also found that living in multi-unit dwellings means that the culprit is not likely to be identified when the rubbish is taken away and that there is insufficient storage space while waiting for council clean-up days. Today we live in more urbanised cities. The research also found that taking items to a tip is inconvenient and expensive and that it is easier to dump waste on an existing rubbish pile or in another location. Illegal dumping occurs in Nollamara and other electorates. Nollamara has a number of Bush Forever sites. I hold them dear and believe that they are very important for the community. Members would have seen the Cottonwood Crescent site in Dianella mentioned in *The West Australian* today. That is the Channel Seven site, which contains bushland. I understand that Channel Seven originally owned that site but that the land now belongs to Bush Forever. A mob of kangaroos live on that site. The Friends of Dianella Bushlands is actively engaged in preserving that site. Tonight the City of Stirling will consider redeveloping the land on the site. It would be concerning if we lost that pristine bushland. There is no doubt that some illegal dumping occurs, but it is very limited at that site compared with the Mirrabooka bushland site, which is north of Reid Highway. The limited amount of dumping is a result of the site having been fenced off and because the active friends group can tell people when dumping occurs. The Mirrabooka bushland along Reid Highway has been bought by Bush Forever and, in the last few months, has had fencing put around it because of my activity, as the local member, and that of other people who recently formed the Friends of Mirrabooka Bushland group. That site is regularly used for dumping, partly because people do not realise the importance of the land as bushland and partly because they do not recognise it as bushland. They see it as a wasteland that is waiting for development or they believe it is degraded land, and so it becomes more degraded.

We need to ensure that whoever manages Bush Forever land manages it well. Bush Forever does not necessarily manage the land. It might fence the land but hand over the management of the land to the Department of Environment and Conservation, the local council or a community organisation. The Dianella bushland is well maintained because the City of Stirling is active in the management of the land. When the fence is breached, the council fixes it, just as it fixes any other issues. No-one is managing the Mirrabooka bushland, which is a very large piece of land. It is not enough to simply introduce legislation that prohibits dumping and applies a penalty. Those things need to be managed in a preventive manner, not just by imposing a penalty. Bush Forever and DEC must be resourced so that they can manage the bushland in their care. We must support and grow the friends groups that are necessary for having healthy bushlands, especially our urban bushlands. That is not easy because people are busy and have difficulty making a commitment to do that. We must look much more strategically at how we can enable, encourage and grow bushland friends groups. It seems that that is being left up to volunteers such as the Urban Bushland Council. Mary Gray deserves to be commended in this house for her extremely good work and diligence in pursuing and promoting the friends of bushlands groups. Without adequate training and administrative support, it must be very difficult to continue to grow those vital groups so that people do not use bushland sites as dumping grounds.

Prevention is better than prosecution. I very much agree with the member for Gosnells that we need to look at extended producer responsibility. People may think that that idea is a bit out there, but that is what happens in the area of occupational safety and health. If a product is faulty, the liability goes back to the manufacturer of the product. This legislation should extend that concept to the environment. If a product cannot be recycled, taken back or does not have a useful purpose and people just want to dump it to get rid of it, it has a fault. The manufacturer has caused the fault and should think about how the whitegoods or the car or whatever can go back into the system to be reused or disposed of responsibly. That is how we must start thinking if we are to be environmentally responsive to the challenges that lay ahead in the current climate.

The member for Maylands raised the issue of asbestos removal. I firmly believe that a licence should be issued to remove any amount of asbestos. We should not allow a resident to remove asbestos. I think some regulations regarding asbestos have gone through recently, but I am not entirely sure. There was a recent discussion about reducing the licensing provisions from 200 square metres of asbestos to 10 square metres so that a person would need to have a licence to remove asbestos from an area of greater than 10 square metres. I need to check that. I believe those regulations were to go through WorkSafe. Even that is too much. Asbestos is poisonous and dangerous, and all residents should know that. If a licence was required to remove any amount of asbestos, it could be removed safely and the asbestos could be wrapped and well disposed of, which would mean that people would not dump it. Again, we are fixing the problem at the pointy end instead of fixing the problem at its inception. We need to think more about those things so that we do not have to use this sort of legislation and so we can prevent waste from being dumped in the first instance. One way of doing that would be to make it less expensive for people to dispose of their waste.

We are in the process of renovating, planting gardens and things like that, and we recently took some soil to the City of Stirling. It emerged, thankfully, that we had a ticket to dispose of what we had, but if we had not, it would have cost us something like \$300 to dispose of a trailer-load of soil. For a resident, that is an unbelievable

cost, and it is not surprising that people say, "I'm not going to pay that", and just turn around and dump it somewhere.

Mr D.A. Templeman interjected.

Ms J.M. FREEMAN: This is not clean soil, unfortunately; it is soil full of bindies, weeds and all that sort of stuff. This is contaminated soil. If one were to dump it at the Mirrabooka Bush Forever site or somewhere like that, it would not add to that area, it would contaminate it. That is a real problem.

The member for Carine unfortunately is not here, but he raised the issue about the Stirling recycling facilities. I want to put on record that that site should not be held up as a model. The people of Mirrabooka are currently having to deal with a massive contaminated water problem that comes from that Atlas Group site. When it first took over the site, it was unlined and putrescent waste was dumped in the area. I have been to see that recycling centre and they have put in huge turbines and claim that it has all been sorted out. I have seen what has been sorted out; it is contaminated. I cannot see how Atlas can take any of the glassware and use it as a recycled product, because if it did, it would add to the cost. There is no way such dirty glass could be recycled. There are also all sorts of other things like nappies and sanitary products. For me, it does not add up. If it were that good, we would all be doing it. It might be easy to sell that to the residents, because they just have to dump everything in one big bin, but it does not make people responsible for their waste and it does not make them think about the quantity of their waste and what they are doing with it. We need to do all those things.

In the last few minutes I have, I want to raise a question about the officers. Who is actually going to police this bill, for want of a better word? Officers will be able to stop and search when they have reasonable suspicion that someone is dumping, but I am wondering whether they will be officers from the Environmental Protection Authority or local government officers. Who are the designated authorised persons who will be able to charge offenders under this bill? It seems to me that the expectations on them are great. Most dumping is traditionally done at night, when people pump more waste into the atmosphere. Will these officers be properly compensated for the work they do and the surveillance they will have to undertake?

It is always a good thing to say to the community that we should not be dumping waste, but it is not good to tell people to not dump waste when we do not actually care for the environment and make sure that the Bush Forever land that we have retained for communities now and into the future is kept to a standard at which it can be enjoyed so that people will want to keep it in a pristine state. It is critical when looking at this bill to remember that it is not enough to do this when we do not resource these areas adequately to ensure that they are useful and usable by the community, that the community wants to own them, that they are not seen as degraded lands and that people will not dump refuse in them for those reasons. Clearly, there will always be bad apples who will do that anyway. We would like to make it difficult for them to keep doing so through the sorts of programs raised by the member for Gosnells in relation to asbestos, for example. However, if that still occurs, this bill is to be commended for providing the capacity to prosecute people who do such environmental damage to this resource in our communities.

MR M. McGOWAN (Rockingham) [5.45 pm]: I rise to speak on this important piece of legislation and to indicate my endorsement of what the government is doing here. This rearrangement or modernisation of the penalties provisions for the dumping and misuse of waste is overdue, and I am pleased to see that it has been brought forward and will be dealt with by the Parliament now and will hopefully shortly become law.

I recall that the reforms process commenced in 2006. I recall attending a media conference with some television stations in a semi-rural but partly urbanised area south of Perth, around Canning Vale, at that time. We showed them all the waste that had been dumped around the roads and indicated that we were going to modernise and increase the penalties for people who undertook waste dumping activity. It has taken a long time to get to this position; it would have been mid-2006 when we made that announcement. It is good that it has finally reached this end point of going through Parliament, and that there will be enhanced penalties for people who undertake that sort of dumping activity. It is very commonplace, and people who do it know that they are doing the wrong thing. It is a good thing to make sure that they are brought to account, both for the environment and to make sure that people act responsibly in respect of waste.

This brings into focus the bigger issue of waste. We have a major problem with waste in this state, which is extraordinary considering that we have a city of only 1.6 million. We have a looming shortfall in landfill provision. It is both difficult and expensive to find new sites for landfill because of the problems involved with ensuring that the site has an appropriate buffer; I forget the actual word, but I refer to the protective mechanism between the landfill and the water table. It is difficult to find these sites, and they are increasingly rare. Of course, no-one in outer suburbia wants one anywhere near where they live, but everyone needs to use them, so it is one of those conundrums. The same goes for regional towns: no-one wants one anywhere near where they reside, but they have to be provided so that people can dispose of their waste.

There are alternative techniques for dealing with waste. Recycling, of course, is one, and we need to move further in the direction of the better re-use of waste. The New South Wales government aspires to be completely waste-free by 2020, as I recall, and it has implemented facilities at which waste goes into one end and compost comes out the other. We have a similar facility in Riverton. The ones in New South Wales are of a higher standard and have perhaps a higher level of technological sophistication. However, they are not without their problems; there was a fire at one in New South Wales that caused significant damage and was expensive to repair, and it put the plant out of operation for a considerable period. I have visited that plant; there are huge numbers of trucks coming in and out. It is in western Sydney, and I saw a video of the plant being opened by the former Premier of New South Wales, Bob Carr, in which he expressed his ambition for New South Wales to head towards a waste-free future. I agree with that. That has to be the way forward. As a community and as a country we have to cut down on our waste; and so do other countries. We have to cut down on the waste we expel into the air and the waste we put into the oceans. Waste is a worldwide problem; it can go anywhere. We have to make sure, not just in terms of physical waste but in terms of other human waste, whether it be from the generation of energy or from the physical sewerage works —

Mr M.J. Cowper: It is dumped in my electorate, member. They go down to Woodman Point and Hillarys and shovel it into trucks and cart it down to Harvey pines and spray it all over the place. No wonder there is a fly problem down there!

Mr M. McGOWAN: People should not be doing it. But in any event waste overall is a significant problem for the state and a significant problem for humanity. We need to realise that we are creating a problem for future generations if we do not deal with it wisely.

Sweden, for instance, creates a great amount of waste combustion. In turn, that produces energy. Some people would say that is a neat solution because energy is derived from the waste and everyone is a winner. The only problem with that solution is of course what is poured into the atmosphere. We need to be careful about what we put into the atmosphere, particularly in the current age. In Sweden it is done in proximity to urban areas where people breathe in what comes out of the smoke stacks. That is the sort of technology that would need to be very closely looked at if we were to head in that direction in the future.

In relation to some other forms of waste, human waste, sewage and the like, it can be reconverted to be used in agriculture. There is significant use of human waste in agriculture in some parts of the Avon Valley and perhaps areas of the Wheatbelt closer to Perth. That is still going on. It is not something I object to. If there is a way and means of using that sort of waste in better ways than putting it into the ocean, that is a good thing. We should be, within environmental guidelines, looking at increasingly using human waste in that manner. They are the forms of waste. Waste generated by human activity is probably, broadly speaking, the most significant issue facing the planet. Global warming is essentially human waste changing the climate of the planet. So, dealing with waste in a way that is responsible and environmentally acceptable is something that we need to look towards doing to a greater degree in the future. This legislation is just one very small step on that road. It is a long, difficult and tortuous road, and it is an expensive road. It is a road that we need to walk down. As people who care about our children and grandchildren, and our grandchildren's grandchildren, we need to think about these issues with more urgency than we have been thinking about them to this point in time. The politicisation of the greenhouse debate and the fact that some people argue, based upon one per cent of scientific opinion or thereabouts, that it does not exist, and other people argue that we should not do anything about it because other countries need to do something about it first, avoids the point that this is a problem we have to confront. We need to be serious about it as a country. If we put it in the too-hard basket, it will probably be our children's children who will have to confront it. My children are currently seven, five and one; it will probably be their children who will have to confront the actions or the non-action of today's generation, but confront it they will. When we think about how long that might be in terms of our own lifetimes and that of our grandparents, if the actions of our grandparents had created these problems and we were having to confront them today, it puts into perspective that it is not that far away. There is not a great deal that a small Parliament can do without the powers of a major Parliament or an international body, but we need to take whatever steps we can as a state to try to assist in that process.

They are all the forms of waste. They are the sorts of things we need to confront as a society. There is a great deal of goodwill out there to deal with these issues. Many people see them as important. I know the argument always goes that everyone sees it as important until it has an impact on them. That is probably true to a degree. We need an educational approach that engages people to make sure that they realise the problem is ours and not just the government's problem, and take people with them along that road.

In relation to the Environmental Protection Amendment Bill, this is a small step, but a significant and rather easy step to take. The enforcement of these rules will always be a problem. We have to ensure that the Department of Environment and Conservation has sufficient resources to enforce the rules and to make sure people who undertake inappropriate activities actually understand that there is a prospect of them being caught. If we can make sure that people understand there is a prospect of them being caught if they do the wrong thing, we will

deter them to a greater degree than by just increasing the penalties. If people do the wrong thing—that is, dump into a waterway, dump into a forest, pour harmful chemicals or the like down a drain—and there is a prospect they will be held to account for that, that will provide a significant deterrent effect. I know the Department of Environment and Conservation's resources are stretched because there is a huge amount to be done in the state's environment. I say to the minister and to the department that resources need to be put in to make sure people realise they can, and potentially will, be caught if these rules are infringed; therefore, as a consequence, a significant punishment will ensue. If we make sure that people understand that, perhaps there will be some effect from these rules that the state is putting in place.

I will leave my remarks at that. I will let my good colleague and friend the member for Mandurah enlighten us with his very important views on rubbish.

MR D.A. TEMPLEMAN (Mandurah) [5.57 pm]: Mr Deputy Speaker —

Dr G.G. Jacobs: No dead cats, please!

Mr D.A. TEMPLEMAN: No dead cats; yes.

It is very unfortunate that I have to rise three minutes before 6.00 pm while I have so much to offer!

Dr G.G. Jacobs: You can come back after tea!

Mr D.A. TEMPLEMAN: I know, but my experience is that when one does a speech before dinner, no-one comes back in afterwards. I may have to call a quorum just to create an audience!

I acknowledge the importance of the Environmental Protection Amendment Bill 2010. I also acknowledge the trauma that the member for Maylands is going through. I had tears in my eyes as I listened to the member for Maylands. Every time she travels that road down to her home, she must wonder what is going to be dumped there next. I have heard about whitegoods, I have heard about car bodies, I have heard about trailers of household rubbish and of a whole house of furniture —

Dr G.G. Jacobs: I think you're filling in before tea!

Mr D.A. TEMPLEMAN: No; you know my contributions are always well thought out.

I had tears in my eyes. I was quite moved. It certainly is very true that somebody who lives in an area like the one in which the member for Maylands lives witnesses this sort of behaviour regularly. One of the things that is really important is that government departments that are responsible for land that they own—I am not talking about national parks but about tracts of land that may be designated, for example, for a development—also need to be brought to account in terms of the ultimate responsibility for the clean-up of dumped goods, because they are the landowners. I know that a lot of residents in and around the railway precinct in Mandurah, for example—the vacant land that is still in that precinct which is owned by the WA Planning Commission through the Department of Planning—continue to complain to me about the dumping of rubbish there.

Sitting suspended from 6.00 to 7.00 pm

Mr D.A. TEMPLEMAN: Madam Acting Speaker (Ms L.L. Baker), it is good to see you in the chair. Before I was rudely interrupted by the dinner break at 6.00 pm, I was just about to launch into my discussion on this bill. I was relating to your comments earlier in your speech about the dumping of unwanted waste in areas around your home, as your home borders on a conservation park. Before the break I was not specifically relating to national parks, but I was highlighting that where government is the landowner it is very important and prudent for the various government agencies that have control over those lands to take greater responsibility. I gave the example before the break of the land surrounding the Mandurah rail station precinct. That land is going to be developed by LandCorp, but it has been one of a number of areas in Mandurah–Peel where the government owns the land but a lot of dumping has taken place.

Another thing that strikes me about the importance of this bill, and indeed the thrust of the bill, is the creation of this new regime of dumping and the associated quite significant fines that are attached to any successful prosecution. I think the illegal dumping issue is a problem, particularly in areas that are experiencing rapid growth. For example, in the Peel region, where there is rapid population growth, areas that are conservation reserve, or are earmarked for recreation reserves or for the Peel regional park, are relatively easy to get to and are prime targets for illegal dumping. The City of Mandurah and the Shire of Murray, which are the two local government areas that are most well known to me in the Peel, have had examples of illegal dumping in bushland and close to the wetlands and/or the water bodies of the Peel–Harvey estuary, which becomes a major concern. I commend the bill's intention, which sees penalties for tier 2 offences being \$62 500 as a maximum for individuals and \$125 000 for corporations. I think they will be a very significant deterrent.

I think you, Madam Acting Speaker, the member for Gosnells and, indeed, the member for Nollamara mentioned the fact that we must change the culture of the throw-away society. We must change people's attitudes to the fact

that throwing things away seems to be the easiest and quickest alternative and/or not thinking about the lifecycle of a waste product. I think it is important for the Parliament to note that we have landmark legislation, which I heralded through this place. It was the Waste Avoidance and Resource Recovery Bill, known affectionately as the WARR bill, in 2007–08. That legislation focuses very much on the producer responsibility aspects and is and was aimed at bringing Western Australia into having a much more strategically focused approach to waste management. The WARR act allows a range of things to happen. It is really ultimately up to the will of the minister of the day to utilise the provisions in the WARR act and bring into Parliament additional provisions, which is what we are seeing here tonight with this bill, to begin to change the culture and the mentality that we have had since the colonisation of Western Australia.

We know it exists throughout Western Australia, in the Perth metropolitan area and in municipalities throughout the state. One has only to go to some of these municipalities and find out where all the waste dumps used to be. I was born and bred in Northam. At one of its waste dumps, or the local tip as it was affectionately called, back in the early history of Northam, people dumped onto the banks of the Avon River. I remember that as a kid I would go to a special park near the Avon River, down behind the trotting track, and it still exists in Northam. It was a great place to dig and find those wonderful torpedo-shaped bottles and all that sort of thing. It was one of many dumping grounds for the then Northam municipality. Can one imagine moving to do that now? The Burswood site of the casino and golf course is a well-known former dump, where at various times in the state's history there was the dumping of all sorts of refuse. It is one of the reasons that now, from memory, there are literally thousands of registered contaminated sites throughout Western Australia. Some of those sites are very contaminated, as we know. The strict environmental regulations and provisions now for any landfill, for example, are very significant, but it was not that long ago when waste, refuse and other organic and non-organic matter was allowed to be dumped into landfill. We have had this attitude where we have just dug a hole and buried it.

In the modern world there is only one way forward for waste management, and that is to attack waste at its source to ensure that producers of products that create waste or have a by-product that is waste take greater responsibility.

That is essential. One of the sad things about Australia's involvement in international markets through the exportation and importation of products is that new waste products are causing more and more problems for councils and departments such as the Department of Environment and Conservation in Western Australia. We know now that e-waste is a huge issue for many communities. The age-old adage was that the computer industry was going to reduce waste—that less paper would be used and there would be less waste because everything would be done electronically. However, that does not really seem to have happened. No sooner do we get one of these—for the benefit of *Hansard*, I am holding up my laptop, which is one of the computers so generously provided to members of Parliament—than it is obsolete within months. These computers have a life cycle of probably less than two years. If, once members of Parliament have finished with them, these computers do not appear in a school or with a community organisation or a group such as the Mandurah Musketeers, which is a wonderful community group that recycles a range of computers, they end up in landfill. Another option is for the computers to go out in the annual or biannual kerbside pick-up by the local council, along with all the big tellies with the big fat backs that are no longer in vogue. How many times are those televisions discarded during council pick-ups? People can drive through their neighbourhoods and see those beautiful monoliths of television technology sitting on the kerb. They are everywhere.

One of the good things about the council pick-ups is what I call the *Steptoe and Son* syndrome—someone else's rubbish is someone else's treasure. The utes and trailers appear. Some people are quite brazen about it; they are quite happy to be seen picking through the things that people turf out onto the verge. I admit that I once did the same myself—it was not too recently—when I was looking for some extra tin for my chook pen. I am well known in my neighbourhood so I had to don my hat and dark sunglasses.

Dr G.G. Jacobs: Well known as a local scrounge.

Mr D.A. TEMPLEMAN: Yes, I am well known as a local scrounge! I remember putting on my little cap and dark sunglasses and driving around the streets. The best time to do it is at dusk because very few people are about. Firstly, most of them are having tea, so they are not out the front of their properties but are usually inside. Secondly, if they are looking out, one should always try to do it when the sun is setting in the west —

Dr G.G. Jacobs: Where else does it set? You've got a choice?

Mr D.A. TEMPLEMAN: — because the sun will actually blind them while they peer out of their door to look at the person who is sifting through their rubbish. I actually got some very good tin indeed, so I was able to do that.

Mr W.J. Johnston: If you're that good a scrounger, you should be Leader of the House.

Mr D.A. TEMPLEMAN: That is very true.

I support council pick-ups. Some people know exactly what they are looking for. Some people have no problem with sifting through the rubbish, but they do not have any consideration about putting things back in a nice neat pile—they just throw it everywhere, which I find most disturbing.

My congratulations go to the Minister for Environment for the tier 2 offences and maximum penalties. They will be a significant deterrent, but we have to keep attacking the issue of waste at the source. One of the sad things about health requirements these days is that everything is triple-wrapped in plastic or other packaging. The waste is quite often bigger in volume than the product one has unwrapped, which is quite amazing. We have to attack the issue at source. This has to be done particularly in communities where there is population growth. Unfortunately, if the dump or transfer station is too far away or if there is a significant cost, some people will simply load up the back of the ute and will find the easiest place that they can slip into undetected to dump their rubbish. We have to start educating the wider population that that will no longer happen. I am sure the minister has a strategy.

[Member's time extended.]

Mr D.A. TEMPLEMAN: I am very interested in the roll-out of the education aspect of this legislation in terms of what is proposed to highlight to people that they will face significant action if they dump rubbish illegally; that is, of course, if they are prosecuted. The Minister for Water handles the environment portfolio in this place and during estimates. The member for Rockingham and I have asked a stock-standard question during the past two budget hearings about the number of prosecutions by the Department of Environment and Conservation in general. From memory, I think there have only ever been two prosecutions for illegal land clearing. There has been a very small number of prosecutions in the past year or so. Given that we are creating more teeth with regard to this issue, I hope that if people are caught doing this, they will be held accountable. People would be plain dumb to keep doing it after an extensive and effective education process. If they do keep doing it and are caught, especially now that there will be significant fines for this, they are plain dumb and they should be held accountable. There may not be a lot of figures available in the next budget, but I would certainly be interested in knowing the prosecution rates in the future. Of course, the rate of prosecution may fall because we might get the message out.

Local councils play a significant role in the education process for this legislation, because local councils, particularly in urban and semi-urban areas, are the first call for the notification of illegal dumping. People do not often go to the Department of Environment and Conservation first; they usually go to the local council. A little criticism I have of some councils is that they like to say that it is not their problem and that the person making the notification has to go to so and so. I hope local councils will not do this, because they have been one of the biggest complainers about illegal dumping. I hope they will participate in this process and enter into a partnership with the department now that there will be greater accountability for this practice. From memory, this is something for which local governments have been calling for a long time. I think local government would be very supportive of the measures in this bill.

Again I hope the government also recognises its role in both the reporting of and the education on these measures in this bill, as it will be ultimately the local authority and the communities, residents and ratepayers within that local authority that will benefit. Therefore, for people who live in beautiful bushland areas near Yalgorup National Park, in the southern part of Peel, in the southern part of Dawesville and in bushland and wetland areas in and around the Peel–Harvey estuary environs, it is our collective responsibility to make sure we look after those areas. It will be a good thing if the amendments to the legislation contained in this bill are well broadcast and well articulated, and the message is made bluntly but clearly. I will therefore be interested to see and hear the response from local governments, in partnership with the Department of Environment and Conservation and other authorities that have a stake in this illegal dumping issue, and indeed their commitment to work to ensure that we get success from this bill.

I also hope the bill will highlight to people that it is their responsibility, when they are seeking to dump something or get rid of a waste product from their property, to find the best way of re-using that waste. I hope it will also highlight to people that in their community there are groups that will take on some of those products. The minister would be aware, however, that some community groups continue to be burdened with other people's rubbish that they cannot use. Some community organisations, such as the Salvos and the Samaritans, recycle or use recycled clothing, or bric-a-brac as it is called. I love that word—bric-a-brac. I have always loved that word—bric-a-brac. I have no idea what it means; anyway I love it!

Dr G.G. Jacobs: You would like tick-a-tack then!

Mr D.A. TEMPLEMAN: Yes!

Those community organisations like those in my electorate of Mandurah have a perennial problem, and I am sure this happens in other places. The Mandurah Murray Mayday Club collects clothing in bins at the front of its premises and quite regularly we hear reports of people dumping anything and everything they can in those

bins—sometimes animals and other live things, even though some premises have surveillance. I think it is a perennial problem, but we have to educate the wider population and take responsibility—all of us—for the waste that not only comes into our home, but also goes out of it. Yes, recycling is critical and crucial, and re-use is critical and crucial, but really the point of sale is crucial as well. When we purchase something, we need to look also at that extended responsibility issue.

I wish the minister well with this bill. I wish her well also in her ongoing work with the other ministers and with the federal minister on progressing initiatives such as a container deposit scheme—the best scheme would be a national scheme; the e-waste issue, which I know has been before the ministerial council on previous occasions; and the issue of waste oil, which again is an ongoing one. We had a real problem in Western Australia a few years back with the disposal of waste oil, but this is important stuff, and if we are really going to have a sustainable Western Australia, it is central to ensuring that we have a sustainable Western Australia into the future. I therefore commend the bill to the house and I look forward to other members making a contribution. I look forward to perhaps in the next budget, if the Minister for Water is indeed in his position representing the minister —

Dr G.G. Jacobs: There is some doubt, is there?

Mr D.A. TEMPLEMAN: The minister said that.

Dr G.G. Jacobs: Do you know something I don't know?

Mr D.A. TEMPLEMAN: I am not a feaster on carcasses! I do not like to do that. The minister knows me and he knows how much I respect him. However, I will be looking forward to estimates next May when we grill the minister, as we do. The minister always leaves this place a few shades paler than usual after the grilling that the member for Rockingham and I give him. The lambasting that he got last time about the dead cat —

Dr G.G. Jacobs: About the dead cats?

Mr D.A. TEMPLEMAN: The minister has never forgotten that; I know it is etched in his memory! I know that it has left a big —

Dr G.G. Jacobs: It was totally irrelevant to the bill.

Mr D.A. TEMPLEMAN: It may have been, but I know it has left a deep scar on the minister's persona! But that will heal with time!

I think I will leave my comments there, but I think they have been very positive—as positive as I can make them—and I am looking forward to listening to other speakers on this amendment bill.

MR M.W. SUTHERLAND (Mount Lawley — Deputy Speaker) [7.25 pm]: I have listened with great interest to what has been said today by various members of this place. I think we all have the same problems. Madam Acting Speaker (Ms L.L. Baker), your experience certainly sounds to have been horrific, but I think all of us who have a bit of bushland in our constituencies have the same problem. I also commend Mary Gray, one of my constituents, who is the president of the Urban Bushland Council. She looks after our bit of bushland, which is the Inglewood triangle. This is but a mere postage stamp compared with the bushland that the member for Nollamara and other members have in their constituencies. Unfortunately, this habit now of dumping all types of unwanted household furniture at the side of roads and outside blocks of flats is becoming all too prevalent. I think that this bill sends a very clear message to those miscreants who think that they can just take households of furniture when their tenants shift out and either dump them outside their house or go and find a secluded spot and place them there.

I must say that last night I was reading the *Eastern Suburbs Reporter* in bed, and of course there was a great advert by the City of Stirling, which has been singing the praises of its single-bin system —

Mr M.P. Whitely: You've been married how long and you were reading the *Eastern Suburbs Reporter* in bed?

Mr M.W. SUTHERLAND: Yes, member for Bassendean, things have taken a turn for the worse!

I was reading an article and could not believe the amount of money that the City of Stirling had spent to say how good the single-bin system is. The member for Nollamara pointed out that it must be terrible to stand at the conveyer belt and pull out glass, aluminium and other products because people would not know what was left there!

I certainly believe in recycling. The City of Bayswater, where I live, has three bins: one for putrescible waste, one for garden refuse, and the other for recyclables. To me, that seems to be the more sensible way. Other members spoke about car chassis. There are people who will pay about \$70 to pick up a car chassis. They smash the windows, put the car body on the back of a truck and take it away. Unfortunately, people still dump cars in secluded spots and on roads.

The big problem, of course, is to deal with this ever-increasing mountain of waste. As we know, in certain European countries people who sell whitegoods, televisions et cetera are forced to pay a levy to ensure that those goods are recycled back into the system. The big problem that we have in Western Australia, which was pointed out by the member for Rockingham, is our inability to create more landfill sites. Our landfill sites are filling up at a very rapid rate. Having been a member of the Mindarie Regional Council, I know that the cost of lining those sites and making sure that there is no leaching into the groundwater is very expensive indeed, and we have to find ways to treat the secondary waste. Unfortunately, the building of secondary waste treatment plants in Western Australia has not been a great success. I think the one down south has had huge teething problems. The secondary waste treatment plant at Mindarie has had problems as well. It cost over \$80 million to build and within a number of months the tumbler cracked. As a result of the tumbler cracking, the rubbish could not be turned and the whole system had to be stopped, and of course all the waste had to go into landfill, which just compounded the situation.

While on a number of overseas trips, I have made it my business to look into how other countries deal with secondary waste treatment. I have been to places in Japan and Taiwan, and I think the member for Rockingham referred to the smokestacks and the use of secondary waste to generate power; in other words, the rubbish is put into boilers and burnt. I have visited two waste facilities that are like hospitals. They are housed in huge warehouses. The trucks come in, they are totally sealed off, and there is no odour. They even take the fly ash, or the ash that comes off the burnt rubbish, and make bricks and road base from it. That is something we have to look at. As stated earlier, people are very sensitive about what goes on in their backyards. They are not happy if a secondary waste treatment plant is sited near to where they live; they are also not happy if there is a plan to install an incinerator to burn the waste. The problem is not only the landfill, but also the transportation of the rubbish to the landfill. Trucks have to travel from Perth all the way up to Mindarie, and trucks from south of the river have to travel to various sites, which is a pollutant in itself.

We really have to consider all the ways we can reduce waste. There needs to be education programs around the recycling of bottles and cans; we have all had the experience in our past of collecting bottles and cans and handing them in to get money. I am sure that if we were able to go down that track, it would alleviate a lot of litter in the first instance, because we have all seen bottles, cans, and plastic bottles especially, lying all over the place. This is something that we all take an interest in, I am sure, because it is a bipartisan issue and we all have the same problems in our constituencies. I have been into really smart areas and found furniture lying all over the sidewalk; members must wonder what goes through people's minds when they dump the stuff on the sidewalk.

I also commend this bill to the house; I think it is a move in the right direction. People who go around dumping chemicals and furniture and discharging chemicals into drains will now know that there will be a severe penalty; I hope it deters them in the future.

MR W.J. JOHNSTON (Cannington) [7.32 pm]: I rise to make some remarks on the Environmental Protection Amendment Bill 2010.

I make the observation that people who have visited or lived in Japan are always amazed at how the Japanese spend so much on dealing with the waste stream. They have four or five waste collections a week in Japan because they actually require their citizens to separate their waste completely at source so that waste can be dealt with in a much more effective way. It is really remarkable to see how a country with such a large population in such a small area can so much more effectively deal with its waste stream than we do.

I found it interesting when I was told by the operator of a waste disposal facility in Sydney that one of the most difficult things for them was separating car batteries out of the domestic waste stream. When one of the waste facilities tendered for the work in Sydney, it did not expect the amount of highly toxic waste found in the domestic waste stream. As an example, at that waste facility, 50 car batteries a week are entering the facility out of all the trucks that turn up to unload each week. The point there, of course, is if that waste was going direct to landfill, those car batteries would end up direct in the landfill; that is happening now. Serious issues surround the management of the waste stream, and this bill is related to that process because we are dealing with the question of illegal dumping. I will make some specific remarks, as have a number of members, on issues around illegal dumping in my community, but I wish to make a couple of other observations before I get to that.

The first observation is about waste oil. A number of companies in Western Australia do a good job of going round to all the little car places and other places that need to dispose of engine oil and other waste oils, and go up to the north west of the state. From my relationship with one of these operators I know that a truck is sent up once a month or something to some of these very, very distant mining sites, as well as having other trucks running around the metropolitan and regional areas. The company that I know about is not a metropolitan company, but obviously it sources most of its oil from the metropolitan area. That company then processes that oil and it is reused for other purposes. One of the interesting things about engine oil is that the oil itself, apart from burning in the engine, does not degrade, and although it becomes dirty, it can be cleaned and reused as engine oil. That practice is not common in Western Australia for a range of reasons, but that can be done. Most

of Valvoline's oil in the United States is recycled oil. For a rev head such as me, it is one of those oils that people use in high-performance vehicles, and in America they reuse engine oil. One of the properties of engine oil is that it can be reused; although it burns in an engine, the oil that is put in can be got out. It has impurities in it, which is why, every 20 000 kilometres or whatever, a mechanic changes the oil.

As I say, three or four companies do a good job in recycling that oil for other purposes, but there is an issue in that there is an economic incentive to dispose of that oil improperly because those companies have to finance that process of recycling. At the moment, the recycled oil does not pay for the waste stream management. There has been some discussion around extended producer responsibility, but there is a very simple solution, which is to levy oil at the retail point, or at the point at which the larger consumers use it, to pay a subsidy to maintain the waste oil recovery system. While this legislation specifically deals with the dumping of waste oil and other issues, that would be a major way of assisting those companies to deal with the waste oil. They are doing a good job in this state, and it would ensure that for those businesses that are tempted to dump illegally, while applying penalties is appropriate, providing an economic incentive to them to recycle would be even better. It is a bit like removing phosphorus from fertiliser; it is clearly better to simply tell the manufacturers and retailers of fertiliser in this state not to sell fertiliser with phosphorus in it. I find it interesting that that is what the manufacturers of fertiliser would like to happen. That was being implemented by the former Labor government, but a decision was made to reverse that when the new government came in, and phosphorus is still in fertilisers in this state, clogging up our waterways and creating an environment for algal blooms and other negative impacts on our river system. The government is not doing what the manufacturers want, which is to make the manufacturers take the phosphorus out at source. I am saying that while these penalties are welcome, it would probably be better if we looked to fix the system earlier.

I point out that the Standing Committee on Environment and Public Affairs from the other place examined the waste stream for municipal waste—that is, the 25 per cent of waste that comes from households—rather than the 75 per cent of waste that is generated by construction and industrial sources. The Standing Committee on Environment and Public Affairs comprises two Liberal members, a National Party member, a Greens (WA) member and Hon Kate Doust from the Labor Party. It handed down an interesting report. Paragraph 9 of the report's executive summary reads —

At present, administrative structures for waste management in Western Australia are fragmented, although local government has made considerable efforts via regional councils to generate economies of scale and avoid duplication. The Waste Management Authority appears to be marginalised, without adequate resourcing or powers.

Paragraph 10 reads, in part —

The Committee is of the view that many of these issues could, and should, be addressed by an independent, well-resourced, Waste Authority.

That committee, with a majority of government members, made some interesting findings that could advance the management of waste in this state. I will draw the minister's attention to some of those findings. Finding 1 reads —

The Committee finds that Western Australia is statistically the worst performing State in Australia with respect to both landfill use and the rate of resource recovery from waste material.

Finding 5 reads —

The Committee finds that Western Australia is the worst performing State in Australia with respect to the lining of landfill sites.

I have drawn attention to the unwanted and dangerous chemicals in the municipal waste stream, but I am sure members can imagine what chemicals are coming out of industry waste streams. Finding 19 reads —

The Committee finds that more could be done at the State Government level in terms of planning strategies for large-scale resource recovery infrastructure projects, such as assisting in site selection and in the maintenance of appropriate buffer zones between existing sites and new residential developments.

Finding 23 reads —

The Committee finds that although an increase in the landfill levy may be appropriate, it is concerned that any increase in the levy may be absorbed as an additional revenue stream for the Department of Environment and Conservation's activities in the area of waste management.

Those are some of the findings of the Standing Committee on Environment and Public Affairs, which has a majority of government members. It also made 15 recommendations. I will not read out all of them; I am sure the minister will be pleased about that. However, I will draw his attention to a couple of them to show the

inadequacy of the government's response to the report of the committee, on which there is a majority of government members. Recommendation 1 reads —

The Committee recommends that the *Waste Avoidance and Resource Recovery Act 2007* be amended so as to require the Waste Authority to table in the Parliament each year a detailed financial statement setting out all expenditure of funds raised from the landfill levy.

Clearly that recommendation is driven towards the accountability of government to ensure that the waste levy is being used appropriately. The government's response was as follows —

The Government supports the intent of this recommendation as it relates to expenditure for the WARR account. The Waste Avoidance and Resource Recovery Act 2007 WARR Act requires the Minister to table in Parliament an annual report of the Waste Authority on its operations and procedure for the previous financial year.

The point I make about the response is that the government supports the intent of the recommendation but is changing nothing. It will continue to hide the use of the money that is available to deal with the waste stream. This bill will increase the penalties, but the government has missed an opportunity to do something practical. It has turned down its own committee's recommendations. Recommendation 2 reads —

The Committee recommends that the Government resolve the issue of funding for staff and resources for the Waste Authority as a matter of urgency.

Again, the government's response is to support the intent of this recommendation. It is happy to endorse the spirit of the recommendation, but it is not prepared to do anything about it. The government's response continues —

The funding for staff and resources for the Waste Authority is set out in a Service Level Agreement SLA, agreed between the Waste Authority and the CEO, and approved by the Minister. The SLA is funded from the WARR account.

That is true. However, other things are funded from the WARR account, including the ordinary operations of the department. Here is an opportunity for the government to do something, as was recommended by its own committee, but the government has chosen to ignore it. Whilst the Labor Party supports this legislation, this is a missed opportunity to do so much more than simply increase the penalties.

I turn to the some of the issue in my local community. The electorate of Cannington is blessed to have the Canning River running through its centre and bushland on our northern reaches along Queens Park. We are also very lucky to have many excellent local volunteer groups. I refer to Canning River Regional Park Volunteers, which has been going for 20 years. I was very pleased recently to attend its twentieth anniversary celebrations. I refer also to the Bannister Creek Catchment Group and the Wilson Wetlands Action Group, which celebrated its tenth anniversary earlier this year. It is led by Russell Gorton, who was the City of Canning 2010 Citizen of the Year. Other volunteer groups include the Friends of Queens Park Bushlands, the Two Rivers Catchment Group and the Friends of Brixton Street Wetlands. The latter group is actually located in the electorate of the member for Forrestfield. It is located on the border across the rail line.

Mr A.J. Waddell: It works hard enough to be thanked by two members.

Mr W.J. JOHNSTON: Absolutely! I am pleased to support its work.

The South East Regional Centre for Urban Landcare is in Beckenham. These great groups are doing excellent work. They constantly remind me about issues of dumping. On a number of occasions volunteer groups have drawn my attention to illegal dumping in Canning River Regional Park, in waterways that feed into the Canning River, in Queens Park bushland and in other areas around the electorate of Cannington. Some of this is done by commercial operators who try to avoid the expense of disposing solid waste in appropriate landfills. To the extent that that illegal dumping is increasing, the increased penalties for those people is welcome. It will be interesting to see how effective the enforcement procedures are because one of the problems at the moment is that people get away with the illegal dumping of waste. Madam Acting Speaker (Ms L.L. Baker), during your second reading remarks you made detailed comments about issues in your electorate. Clearly government members have also made similar observations. The current enforcement regime is not working. When the responsible minister reports to Parliament in the future, it will be interesting to see whether there is an increase in the number of prosecutions and whether the government has been more successful in cracking down on those who do the unthinkable thing of spoiling our natural environment. Canning River Regional Park, in particular, is a spectacular benefit for the people in my community. I have personally used that space. I know of many people who enjoy the opportunities it provides.

I draw attention to the book *End to End: A Year in the Canning River Regional Park*, by Pam Agar. That book records the bird life and the flora and fauna in that park. It is a fabulous book. It is available from the Canning

River Eco Education Centre, which is a great achievement of the former member for Riverton, who worked so hard to ensure that that centre was built in Kent Street. I encourage people in my community to make best use of Canning River Regional Park, and, if they have time, to join those volunteer groups that make such a great contribution to our local community and work very hard to not just maintain those parklands but make them better. At the Canning River Regional Park Volunteers' twentieth anniversary, and also at the Wilson Wetlands Action Group's tenth anniversary, both groups showed slides and photos to demonstrate the difference that they have made in restoring the natural environment of the park and the wetlands and ensuring they are brought back to life. I look forward to the investment of more money into Hester Park in the suburb of Langford, because if the government was prepared to invest in that park along with the City of Gosnells, the standard of that park could be raised to what has been achieved in Canning River Regional Park.

As I have said, this bill is a welcome step forward in increasing the penalties for people who abuse the environment. It will be interesting to see what the effect of this bill will be. The government could have done more than it is doing in this bill. The report of the Standing Committee on Environment and Public Affairs of the other place laid out a number of opportunities for the government to do a bit more, and it is disappointing that the government has decided not to take up those opportunities.

MR M.P. WHITELY (Bassendean) [7.52 pm]: I will make a relatively brief contribution to this debate on the Environmental Protection Amendment Bill 2010. My current electorate, Bassendean, covers a fairly small portion of the metropolitan area. It covers only 22 square kilometres. That contrasts greatly with my former electorate, Roleystone, which covered about 1 700 square kilometres and about 30 per cent of the Perth metropolitan area. So I was far more exposed to the issue of waste dumping in my former life as the member for Roleystone than I have been as the member for Bassendean. But I want to take this opportunity to put a few comments on the record about the great work that is being done by the Bassendean Preservation Group in the bushland that does exist in my electorate, in the Ashfield Flats area, which it does a great job of maintaining.

Of course the other great site in my electorate that needs to be developed for public use, in a manner similar to Ashfield Flats, is the Pyrton site. I am somewhat disappointed and frustrated by the slow rate of progress that has taken place on that site since we crossed over to this side of the chamber. Pyrton was progressing nicely with the demolition of the old hospital buildings on that site and it was on track to be rehabilitated to become, as I like to call it, the mini Kings Park of the north east metropolitan area. But unfortunately, under the guidance of the former minister, the member for Vasse, and now the current minister, the member for Nedlands, nothing has happened on that site. That is causing a great degree of frustration to people in my electorate.

Those are the major two bushland sites in my current electorate. Fortunately we have not had a lot of problems with illegal dumping on those sites. That is probably due to the fact that they are overlooked by residences and are used continuously by residents, so people go further afield to dump their rubbish. It is probably also due to the fact that the Pyrton site is heavily fenced. I believe we need to open the site to public access as a priority. Nonetheless, the one upside of that fencing is that there are no opportunities for dumping on that site.

When I was the member for Roleystone, illegal dumping was an issue that was close to my heart. I used to live on Canning Mills Road in Roleystone, just at the top of the ridge in what is known as West Roleystone. That was a wonderful place to live. I lived directly across the road from Darling Range Regional Park. Darling Range Regional Park is an A-grade reserve. It is a beautiful place to go for a walk, and a great place for passive recreation, although unfortunately on occasion we would be under threat of being driven over by people riding motorbikes illegally. However, people used to regularly dump all sorts of rubbish in that park. It was very common to see refrigerators and other whitegoods that had been dumped there, and also piles of building rubble and asbestos. The prospect of catching people committing those sorts of activities is fairly low. Unlike the area in which you live, Madam Acting Speaker (Ms L.L. Baker), we do not have a chocolate avenger running around with a caped crusader to keep people in line. All I had was a kelpie at the time, and we did not have the same sort of —

Dr G.G. Jacobs: Appeal!

Mr M.P. WHITELY: Appeal, yes. We did not have the same sort of magical powers that the Acting Speaker seems to possess in her neighbourhood. Nonetheless, continuous dumping was going on in that park, and I suspect that very few people were caught. On occasions it might be possible to identify people from some of the domestic rubbish that they had dumped if they had been so dumb as to leave an electricity bill in their rubbish or something like that. But primarily if people were a bit clever about the way they dumped their rubbish, there was very little chance of them being caught. It does not matter how we set up the system. That is always going to be the case. So I suggest that what we need to do under those circumstance is make the penalties sufficiently high to deter people, so that on the half a per cent chance that they get caught, they will end up with a such a large penalty that they will think twice about doing it. I have heard comments made by other members about the need to educate people. Frankly, I think that some people are beyond education, and we need to hit them with a big stick if they do the wrong thing. If our chances of catching these people are minimal, I think we need to hit them

with a very big stick when we do catch them. That will scare them off from doing it. I am, therefore, supportive of the thrust of this legislation. I put on the record my great enthusiasm for hitting people who dump rubbish, with no care for the environment, no care for their neighbours and no care for anyone else, other than their own selfish interest, very hard with a big financial stick. To that extent, I support this legislation. Of course, this legislation has a very narrow target. The problem of dealing with waste is enormous, as other members have mentioned.

In my former life as the member for Roleystone, I was deeply immersed in this issue. I had a number of issues going on in my electorate. I had the Cardup landfill site. That was a controversial site, because there were issues about the landfill leaching into the groundwater. There were claims that the landfill had been placed on an inappropriate site, because there were fractures in the rock underneath the site and in the lining of the site that might cause waste to leach into the ground and contaminate the groundwater supplies of people around the site. I do not know the validity of those concerns. The science was difficult to determine accurately. But certainly that was one issue. That made me acutely aware of the concerns about relying on landfill.

The other issue that I had when I was the member for Roleystone, and probably the biggest—I had some whoppers—was the plan by the City of Gosnells to put a SWERF in a thin industrial strip between Kenwick and Maddington. That was back in about 2003–2004.

Mr A.P. O’Gorman: You might need to explain what a SWERF is!

Mr M.P. WHITELY: A SWERF is a solid waste to energy recycling facility.

What was proposed was a pyrolysis plant, which is a fancy gasification plant that effectively incinerates the gasified remains of municipal solid waste and uses it as an energy source. If I wanted to describe it in a dumbed-down manner, I would describe it as rubbish incinerator, but it was a bit more than that because it involved gasification of the MSW source before those gases were burnt. That was a highly controversial proposal. The City of Gosnells was very enthusiastic about establishing this facility in my former electorate, because the city saw it as a revenue stream. The City of Gosnells was going to take the waste stream from other councils, and get a royalty from the operators of the solid waste to energy recycling facility, Brightstar Environmental, as a revenue stream.

Local residents were extremely concerned about this facility going into Kelvin Road, which is between Maddington and Kenwick—it is a thin industrial strip sandwiched by two suburbs—for a number of reasons. Some of those reasons were less valid than others, but one reason that resonated with me was the concern about what was coming out of the stack—the former Minister for Environment, the member for Rockingham, spoke about that with incineration facilities. The great concern with the SWERF, this pyrolysis plant, was that dioxins and furans would be emitted into the environment and would lay down over the surrounding suburbs and introduce the possibility of people being exposed to carcinogens et cetera. At the time, the proponents and the City of Gosnells were saying this was proven technology, the best technology, world-leading technology and marvellous stuff; and we needed to go full steam ahead with this as the answer to dealing with the waste stream. I spoke a little last week about my BS antenna. One skill that I have is my BS antenna, and whenever anyone says it is world-leading technology, the best technology in the world and they roll out glossy brochures, my antenna starts to twitch. And my antenna started twitching when I heard the claims made by Brightstar Environmental and the City of Gosnells about the benefits of the SWERF. Nonetheless, I did not want to be a nimby politician and I would give them a chance to prove the SWERF.

The world’s only SWERF had been built in Wollongong, New South Wales, but it was operating at a fraction of its capacity; it was operating in a testing phase. The way licences are developed in New South Wales is, basically, the operator gets to test up its plant. Brightstar Environmental had a licence to operate the SWERF at, from memory, about 10 per cent capacity whilst it proved up the qualities of the plant; in other words, while it proved up the fact that the plant did not emit noxious gases and other emissions into the nearby environment. Despite the fact that this SWERF, as I recollect, had never operated at more than about five per cent of its commercial capacity, Brightstar claimed that this was a proven technology. It made that claim on the basis that it had developed a small-scale pilot plant somewhere in Queensland that had operated on burning wood refuse from a sawmill. Brightstar said that it had managed to gasify wood refuse and to go through the process with this product and that it produced such a low level of noxious emissions that it was within acceptable standards. I thought that was not proving it up because the waste stream there was actually a homogenous waste stream, and the problem with municipal solid waste streams is that no matter how much one encourages people to put the right thing in the right bin, they are not homogenous waste streams; there are always nasties in the waste. People will use their rubbish bins to throw away whatever! I said to Brightstar that if it wanted my support to put a facility in Kenwick, it could prove up the technology by running the Wollongong plant at a fully operational level for one year and having independent emissions testing. When I asked Brightstar to do this, it jumped up and down on the spot and said that I was being entirely unreasonable. Brightstar went to others within government—the Premier and Deputy Premier at the time—and said that I was a rabid local member who was

playing politics with this. That further set my antenna twitching, because I did not think there was anything unreasonable in asking this company to prove up its technology. If it is the world's best technology and the future in dealing with the waste stream, then take that year to prove it up. How much money would it make, because surely it could then export this technology around the world? Frankly, the company was not happy about doing that at all. It complained about that, and it engaged a "visiting expert". They got David Bellamy out here. I have always held David Bellamy in high regard; I thought he was a world-leading expert. They got him out here to sing the praises of the pyrolysis plant, which taught me something about the nature of world-leading experts these days! This also set my antenna twitching.

The Environmental Protection Amendment Bill has a limited scope. It is all about dealing with waste, which is the issue at the heart of what we are dealing with. The proposal to have the SWERF in Kenwick taught me some other valuable lessons; that is, one needs to be very suspicious about claims that are made in this field. If there was one best technology, it would have been developed and it would be universally accepted. At the time, I went and looked at other waste facilities. My first trip on the parliamentary imprest account was to Wollongong to look at a rubbish plant. I am envious when I hear some of the stories of members travelling to Japan to look at technology, when my trip was to Wollongong. I then went to a place in northern New South Wales to look at a composting facility that was claimed to be the global solution to what was happening. I think that was close to the Bedminster system that operated in Canning Vale. The problem with all of these technologies comprising rubbish in, rubbish out is that we have a heterogeneous waste stream that has nasties in it. It is impossible to get people to sort their rubbish properly. Unless one takes a big stick to people to get them to do it and have appropriate measures that make people do it, we have this problem where the waste stream contains —

The ACTING SPEAKER (Ms L.L. Baker): I am pointing to the relevance.

Mr M.P. WHITELEY: Madam Acting Speaker, it is right up there with the chocolate avenger actually!

The ACTING SPEAKER: I am just trying to get you on track.

Mr M.P. WHITELEY: I will start talking about the chocolate avenger then, and perhaps that might be more appropriate!

Mr R.F. Johnson: I thought you were only going to speak for a little while.

Mr M.P. WHITELEY: I got to my feet and I became enthusiastic. I was concerned because a local council was pursuing the issue of evaluating technology off its own bat. Frankly, local councils do not have access to the technology or the expertise to do that; they do not have the skill base to make the sorts of assessments that need to be made. I know that a lot of councils are organised along regional council lines, which is a step in the right direction. However, at the time we were talking about this, I was arguing that we take a larger approach; that is, if the state government does not take the central role in it, at least it should take a far more active role than it had previously. We cannot let these sorts of decisions about technologies be made in a piecemeal way by organisations that do not have the expertise or resource base to do that. The other thing I learnt from this whole debate is that when we are dealing with waste, we cannot build systems that are based on some sort of optimistic belief about human nature and how people behave; we have to build systems that cater for the worst in human behaviour.

I will not be seeking an extension, Madam Acting Speaker, I will curtail my comments on the chocolate avenger!

We have to build systems that cater for the worst in human behaviour. This bill increases penalties for people who actually have very little chance of being caught. In my view, the higher the penalty the better and, therefore, to the extent that this bill goes towards that, I support it. To the extent that we look at the problem of dealing with waste in general, I think we have to be prepared to be interventionist. We have to be prepared to build a culture around waste that is led by regulation. I am sure that people in Japan did not develop the culture of sorting their waste without measures to ensure compliance in the first place. The member for Cannington talked about some of those innovations in Japan. We have to be prepared to get people to do the right thing by, in appropriate circumstances, penalising them. Therefore, I support the broad thrust of this legislation. I think it scratches the surface of the entire issue that needs to be dealt with, but to the extent that it achieves higher penalties that may create fear in some of those people who, frankly, do not do the right thing and will not do the right thing just by persuasion, I think the Environmental Protection Amendment Bill is a worthwhile bill.

MR A.P. O'GORMAN (Joondalup) [8.11 pm]: I rise to speak on the Environmental Protection Amendment Bill just briefly, I hope, and I will reflect on some of the things that have happened. I arrived in Perth some 30 years ago —

Mr R.F. Johnson: That was a very dark day in Perth!

Mr A.P. O'GORMAN: No, it was actually quite good in Perth at the time. I think the dark cloud came a few years after! I think the member was about six or seven years after me and that is when the dark cloud came over.

It was funny when I left Ireland because I left on 1 April. My tickets were supposed to be at Heathrow Airport but when I arrived there were no tickets, so I thought somebody was having a bit of an April Fools' Day joke on me. However, I eventually got my tickets and came to Perth. One of the things that really impressed me about Perth, the surrounding areas and the suburbs was how pristine and clean it was—the lack of rubbish around the place. People seemed to have a great deal of pride in their city and bushland and those sorts of things. Over the years I think that has deteriorated, but then we have to keep asking ourselves: why does it deteriorate? It is people's attitudes, and a lack of respect; respect not being passed from one generation to another. But also in my 10 years or so in this place, I have noticed that every time a bill is passed, there are certain reactions to that bill. I think this bill has been introduced because of a previous bill that was passed in this place—namely, the Waste Avoidance and Resource Recovery Amendment Bill that imposed extra charges. I think it is very pertinent that this bill has come in within 12 months of that other bill being enacted and we have to ask ourselves: What is the implication? Why all of a sudden do we need another bill in this place to bring about fines of \$62 500 for individuals and \$125 000 for corporations? I do not dispute the need for those greater fines to be enforced or to be levied on people if they are caught, but we have to ask ourselves why.

I have asked this question of a number of people in my electorate. In fact, a person in the member for Ocean Reef's electorate has approached me a number of times. He runs a mini bin company. He tells me that the average cost for a bin is getting up to around \$400. When people ring him up and his wife and they say that to send a skip of that size is going to cost \$400, lots of people just turn that down now, but they still have rubbish to get rid of. Therefore, we have to ask ourselves: where are they getting rid of that rubbish? I asked him that question. I asked, "If they're not taking your mini skip and having the waste disposed of appropriately and paying the appropriate fees, where are they getting rid of it?" He said, "Why don't you come with me one Sunday morning? I have got a nice four-wheel-drive and we will take a trip to the Gnangara mound and I will show you exactly where they are dumping it." He said he can guarantee that if we surveyed that place before the waste avoidance and resource recovery legislation came in, we would know that the amount of rubbish deposited in the Gnangara pine plantation, right on top of our most important source of water in this city, has quadrupled. He said there are tracks in the bush that he cannot even get down in his four-wheel-drive anymore because there are car bodies, motorbikes and trailers. He said that on any Sunday morning we could just about see a stream of traffic going through the Gnangara pine plantation where people are dumping their old washing machines, fridges and all those sorts of things. Therefore, when the government brings bills into this place, it needs to think of the full extent and the unintended consequences of bringing that legislation in. That Waste Avoidance and Resource Recovery Bill actually instigated the bringing in of this bill.

However, there were issues of waste being deposited around our state aside from what was generated because of the Waste Avoidance and Resource Recovery Bill, and one of those things, which is picked up under the Litter Act, is shopping trolleys.

Mr M.W. Sutherland: Yes, that's another problem.

Mr A.P. O'GORMAN: The member for Mount Lawley is agreeing with me. The dumping of shopping trolleys is the scourge of our state. I am sure that many members have on many occasions had to go out and pick up numerous shopping trolleys. I know that I used to do it. At one point I used to take the drop-down tail-gate trailer from my business and go around Joondalup. Within about 14 minutes I think I could fill that trailer and put no more in it. I was picking up in 15 minutes 15, 20 or 30 trolleys that were abandoned around the streets. Therefore, minister, I hope that this bill will also pick up that type of dumping whereby lots of people dump shopping trolleys around our streets and our lakes. If people know my electorate, they know about the fantastic Lake Joondalup in Yellagonga Regional Park, but time and again we see shopping trolleys dumped in that lake. I noticed that there was particular reference in the second reading speech to rubbish that has been dumped in waterways. I am sure that the member for Ocean Reef would agree with me that at Ocean Reef Marina on regular occasion we will also find shopping trolleys dumped in and around the water's edge and, in fact, in and around the bush all around those areas.

Mr A.P. Jacob interjected.

Mr A.P. O'GORMAN: It is all along the coast. It is the scourge of our state, and those big supermarkets, the Coles and the Woolies—I will name them although I normally do not name them—are the ones that will not do anything about it. I have had numerous conversations at times about the issue of dumped shopping trolleys and there is a simple solution. Some of these trolleys are \$150, \$200 or \$300 and as they are getting more sophisticated I guess that the price of those trolleys goes up. For about \$50 extra the supermarkets can actually put a coin-operated gadget on the trolleys that locks them together so that people will return them to get their two-dollar coin back. Some people say that it is a cause for more crime in that we will have young people on the streets knocking old ladies over to get their shopping trolley to take it back. That has been quoted to me, member for Mount Lawley. It is a disgrace that we allow these big organisations that want more and more of our market share to allow their shopping trolleys to leave the premises or the precinct that they are supposed to stay in. I

think we need to start tackling that issue. Indeed, minister, I hope that when this legislation comes in, we will prosecute Coles and Woolies for each and every trolley out there and fine them \$125 000. It does not bother me in the least if we do that to them.

The City of Joondalup had a local law put in place, which was disallowed, probably rightly so, because it did not actually give those organisations appropriate time to retrieve those trolleys. The legislation was looking at rather large fines and it was deemed to be ultra vires and not within the act to allow the city to do that, but we do have to tackle these shopping centres. We do have to tackle these big organisations that allow their trolleys to go outside the car parks and to be abandoned. Two groups of people should be fined for this in my opinion. The first are those who walk out of a shopping centre car park, take their groceries to their house, unload them and then just push the trolley down the street. That is one group of people who should be fined. That will be a \$62 500 fine, which makes for a very expensive shopping basket. The other group of people who should be fined are the owners of the shopping trolleys. I think that most average stores are running about 150 shopping trolleys. If the leakage rate is 10 or 20 per cent, somewhere around seven to 15 trolleys can be out there. At \$125 000 a time, that is a fair incentive for those organisations to spend \$50 and at least put coin-operated gizmos on those shopping trolleys so that people do not take them outside shopping centres. Many of the shopping trolleys around Joondalup and Lakeside on numerous occasions are at the side of the road. I saw this happen in front of me. A shopping trolley was on an island in the centre of a road. A truck went past. The vibration of that truck caused the trolley to start moving. The trolley rolled off the island and across the road, where other drivers had to avoid it. I will therefore be really interested to see when this legislation comes into force that we prosecute those criminals who take shopping trolleys out of shopping centres and on to the roads. I notice lots of members opposite nodding.

Mrs L.M. Harvey: Criminals?

Mr A.P. O'GORMAN: It is criminal if a trolley is the cause of an accident in which somebody gets hurt. It is criminal because those corporate people have at their disposal ways and means of stopping the shopping trolleys leaving shopping centres. There are many ways. I have mentioned the gizmos. I cannot think what they are, but they are coin-operated. There are other electronic gizmos that can surround a shopping centre so that when people walk past an electronic barrier a shopping trolley's wheels will lock up. There are many ways of doing it. Those big organisations that take money off us for our groceries do not have the decency to protect our community from their rubbish. I hope the minister takes that into account. I also hope he takes into account that we have to resort to this fairly heavy-handed legislation because of a previous bill that was passed through this place that has prevented people from being able to afford to phone their local mini-skip man to get a skip to their house so that they can dump their household rubbish in it and have that household rubbish disposed of appropriately. People find it difficult to dispose of fridges, washing machines, televisions and all those sorts of things. They do not get picked up with people's ordinary rubbish. Luckily, the City of Joondalup has kerbside bulk rubbish collection twice a year, which is a great service. However, sometimes, apart from those two bulk rubbish collections, people have fairly bulky rubbish that they need to get rid of. Unfortunately, previous legislation of the minister's government has prevented people from being able to dispose of those bulky goods at a reasonable cost, and so we are now starting to see on the Gnangara mound, which is the most important water source in the metropolitan area, more and more car bodies and fridges, and trailer-loads and traffic heading into the Gnangara pine plantation. I ask that once this legislation is enacted, the minister will have Department of Environment and Conservation officers there to make sure that we stop that continuous flow of garbage into what should be the most pristine areas protecting the water mound.

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [8.23 pm]: Madam Acting Speaker (Ms L.L. Baker), thank you for the opportunity to make a contribution to this debate tonight. It has been interesting to listen to the different reflections of various members on their experiences where they live and in their electorate, not least of which was your contribution to the debate, Madam Acting Speaker. What struck me about it is that there is complete abhorrence across the chamber for rubbish and what it does to our natural bushland, our streetscapes and, in particular, our waterways. As observed, this bill will introduce penalties for people who dump waste into waterways. It will increase fines for people who are caught dumping, not only in waterways but in other areas. I join other members in saying that what we are doing is important. The inadequate penalties that are currently in place needed to be increased. The government's decision to increase them to \$62 500 for an individual and to \$125 000 for a corporate offender is probably a reflection of the level of concern in the community about rubbish dumping.

As members are aware, I am the member for an outer metropolitan electorate that has a good deal of bushland, some of which is pristine. However, Kwinana is no different from all the other districts of the Perth metropolitan area that are struggling to deal with the issue of waste management. The issues of how waste management interacts with the community are acutely felt in an area such as Kwinana where people are already very much aware of the impact of industry and other noxious activities on not only the natural environment but also the community in the built-up areas. I have made the observation in this place before that when I go around

doorknocking I seek out those issues that are of concern to most people. One of the issues that people in Kwinana often raise with me is the fact that in recent times they have lost their landfill facility. Some years ago the Town of Kwinana opted to sell its landfill facility to an industrial waste company. Since then people have lost the passes that enabled them to take rubbish to the local dump. Ironically, people in the City of Rockingham still enjoy the privilege, because they get to utilise a dump that the City of Rockingham leases from the Town of Kwinana. The irony of that is not lost on a lot of people in the community. There is an emerging mountain on the northern side of Thomas Road in Kwinana of an industrial waste site that is increasing in size and is perhaps going to overtake Chalk Hill as the biggest landform in the area as the company that operates the site slowly builds layer upon layer upon layer of industrial waste. Kwinana also has a green waste facility to which councils across Perth bring their green waste. That facility mulches and blends the green waste with some of the proceeds of the local water processing facility to create a veritable stew of decomposition in order to make A-grade mulch, which people then buy back at vastly inflated prices to put onto their gardens. That facility is also from time to time smelt and appreciated by the people of Kwinana. I have already mentioned the dump that the City of Rockingham uses. The people of Kwinana do not have that opportunity to take their waste to a landfill facility.

We make these laws because we do not like the idea of people dumping household waste and other materials in bushland or, perish the thought, in waterways, yet in these sorts of areas people are often struggling to work out what sorts of facilities there are for managing their waste problems. We must draft this legislation to always achieve a balance. This is the stick to stop people dumping waste in bushland and waterways, and to make sure that we keep the natural environment as pristine as possible. But state and local governments also have a responsibility to provide appropriate services to the community for the processing of waste and other household rubbish so that people are not tempted to load up their trailers and drive out to some bushland somewhere to offload the proceeds. A proposal is being investigated in Kwinana for a high-temperature furnace or incinerator for other waste. The glossy brochures state that it would emit very little —

Mr M.P. Whitely: What is the name?

Mr R.H. COOK: I must confess that the name eludes me at the moment. The Town of Kwinana and the Rockingham Kwinana Development Office recently sent a delegation to look at similar facilities in Japan. They said that the facilities were very impressive and very clean, and that this is an effective way to eliminate waste.

Dr K.D. Hames: I chaired a committee on waste recycling and management in 1994 or 1995. Judy Edwards, who later became Minister for the Environment, was on that committee with us. We went to Switzerland and then to America to look at a similar facility. It looked very impressive. I was trying to get one at Rotto as a trial. It could have treated all the human waste and the rubbish waste and produced energy and water, but sadly there were not enough in the world for us to see how well they worked. That was the trouble.

Mr R.H. COOK: They sound too good to be true. Some people in the Kwinana community still believe it is too good to be true. It will be interesting to watch how that develops. The technology and programs involved in waste disposal are increasingly efficient and effective, but we must also be mindful of the fact that people still have a need to dispose of waste in an appropriate fashion. The government's effort of increasing the infill levy by 300 per cent does not assist that process. We must make sure that we are supporting local governments at all times because they have the very difficult task of managing the waste that is produced, dealing with it in an environmentally friendly manner and recycling as much of it as possible. They are making an important contribution to the overall sustainability of our community. As I mentioned, there is a proposal for a high-temperature incinerator, which I am told produces little briquettes that are very effective in subsequent use, be it for road materials, paving or something of that nature. That sounds extraordinary. I wish local governments well not only in Rockingham and Kwinana—they are the ones I have worked with directly with these things—but also across the metropolitan area. The Town of Kwinana recently was in negotiations via the Water Corporation for the use of some land to the north of Kwinana for a very high-tech waste disposal facility for local government authorities in the south eastern suburbs and Waroona. That proposal also met with a level of opposition from the community.

These issues will continue to vex us forever more, whether it is through the incidental waste of shopping trolleys, as the member for Joondalup pointed out, or a build-up of household waste as a result of an increasingly consumer-driven society, as the member for Mandurah pointed out. We need to put in place a balanced environmental management regime so that we balance the penalties for people who dump rubbish with the services and facilities that people need to manage their rubbish effectively. That is one of the great challenges in front of us. I will finish by thanking the member for Gosnells for his contribution to this debate. As usual, it was comprehensive and very well considered. I look forward to the passage of this bill.

DR G.G. JACOBS (Eyre — Minister for Water) [8.34 pm] — in reply: I thank members for the opportunity to respond to the debate on this very good legislation, the Environmental Protection Amendment Bill. I thank the nine members who made a contribution to this debate tonight. I intend to address some of the issues those members raised. Firstly, I thank the member for Gosnells, who made the first contribution to this debate for the

opposition. He talked about a gap in environmental legislation. I agree with him. There is a need for this bill to cover the dumping of rubbish in bushland or of drums of fish oil or toxic chemicals on land or in waterways. Being the Minister for Water, I have an interest in the pollution of surface and groundwater sources in Western Australia. The member for Gosnells quite rightly pointed out that there are two separate offences in this legislation rather than one. One offence concerns publicly accessible water, which are the rivers, public lakes, estuaries, inlets and state coastal waters. The bill talks about dumping in those publicly accessible water sources. It also talks about dumping on land. In the time available to me, I want to talk about certain points raised by the speakers in this debate. The member for Gosnells recognised that the fines for bodies corporate of \$125 000 and individuals of \$62 500 might in fact be too low. I believe that the feeling of the other eight speakers was that it was probably about right. I think the member for Bassendean would recognise that the stick is probably big enough, as far as a fine is concerned. Obviously it will be a lot more substantial than it is at the moment, because this has historically fallen under the liquor act—sorry, the Litter Act. That was a Freudian slip!

Mr B.S. Wyatt: You have been imbibing too much.

Dr G.G. JACOBS: I did not imbibe anything with my evening meal! This is what we call a tier 2 offence. They are much higher than the existing fines but of course significantly less than the fines for serious offences such as pollution and serious environmental harm.

The member for Gosnells also questioned the remediation costs and raised some clean-up issues. Recovery costs are already covered in the act. I refer to section 99Y of the Environmental Protection Act 1986 headed “Orders for costs, expenses and compensation”, which states —

- (1) If a court convicts a person of an offence against this Act, the court may, if it appears to the court that —
 - (a) ...
 - (i) seizing, storing, treating, selling, destroying, disposing ...
 - (ii) the prevention, control, abatement ...
 - (iii) making good any resulting environmental damage;

or
 - (b) ... order the offender to pay to the CEO, —

In this case it is the chief executive officer of the Department of Environment and Conservation, otherwise known as the director general —

public authority or person the reasonable costs and expenses so incurred, or compensation for the loss or damage so suffered, as the case may be, in such amount as does not exceed the prescribed amount and is fixed by the order.

There are, obviously, remediation costs within that prosecution framework as people, if members like, are pinged for a serious offence—a tier 2 offence—of dumping waste.

There were quite a few references to the Waste Avoidance Resource and Recovery Act 2007 during the second reading debate. An inference may have been drawn that, essentially, the Environmental Protection Amendment Bill 2010 was required because of the WARR act, which encouraged people to dispose of waste illegally because of the increased levies they had to pay. I was in this place when the WARR act was brought on, and the government conceded that there was the potential for that increased waste disposal to happen. The government flagged that it would reconsider the Litter Act and its inability to deal with such problems. However, of course, the entire dumping issue was around long before the WARR act. Mr Acting Speaker (Mr A.P. O’Gorman) stated that a change in culture has occurred since he first arrived in Perth: Perth now has an issue with the culture of littering and dumping, which we had before we had the WARR act. The government believes that we need to seriously do something about it, and, probably, not a man or woman in this house would not agree with that.

The member for Gosnells talked about, essentially, educating some of the ignorant population on this by not only informing people of the new regime and the new fines, but also telling them that the Department of Environment and Conservation will be working with organisations—local governments and the Keep Australia Beautiful Council of Western Australia—to educate and inform the public. I was interested to receive this card about illegal dumping sent by the Keep Australia Beautiful Council—these have the potential to be deposited in letterboxes. The card made reference to dumping on vacant land, reserves, alleyways and roadsides; dumping outside charity bins; dumping on vacant residential lots; and Mr Acting Speaker will be pleased to know that it also featured an appropriate pictorial about abandoning shopping trolleys and then littering in waterways, which, obviously, I was very pleased about.

Local government and the Keep Australia Beautiful Council are on board with this, and the Keep Australia Beautiful Council has worked very closely with the Department of Environment and Conservation; in fact,

a couple of officers from the Keep Australia Beautiful Council actually work in the enforcement area of the Department of Environment and Conservation. I mention that to indicate that all organisations are on board, and that this government is certainly very serious about using that partnership to educate and inform the public.

One of the changes this bill will make is to significantly increase the fines for illegal dumping. The current maximum penalty under the Litter Act is \$1 000. I have to tell members that this government intends to also increase fines under the Litter Act very soon, because infringement notices issued under that act attract a penalty of \$75 for the illegal disposal of a cigarette butt. The government intends to increase that fine up to around \$200, and, as I think someone in this place said, that is a very, very common littering offence. The fine for other litter will be increased to \$500. Currently, if someone is prosecuted for littering, the maximum penalty is \$1 000; the intention is to increase it to around \$5 000. Some moves are already afoot to increase littering fines, which is, if members like, consistent with the campaign around this bill to deal with dumping.

The member for Gosnells talked about extended producer responsibility, which is not, if members like, directly relevant to this bill, but the government supports a national approach to product stewardship. The container deposit legislation, again, is not directly relevant to this bill, but it is being addressed nationally by the Environment Protection and Heritage Council, and that measure would certainly be consistent with this government's mood in the whole environmental area, both in littering and dumping.

On the subject of inspections, for the information of the member for Gosnells, there are over 200 trained inspectors in DEC who will enforce this new offence. They also have the power to enforce other offences under the act; and, of course, other DEC staff work throughout the state and they will also assist in enforcing these offences. I have been provided with some information for members that states that it is anticipated that the majority of waste dumping offences will be investigated by DEC inspectors, of whom, as I said, there are about 200.

A lot of speakers tonight raised the issue of local governments being at the forefront of this matter. I think the member for Mandurah particularly made the call that local governments should also take up this issue. A lot of local governments certainly have the desire to be involved and be part of the partnership for the enforcement of these new offences. Local governments are at the forefront of dealing with litter and waste issues, so it is appropriate that local governments should have the potential capability to prosecute for the offence of dumping waste when they consider it appropriate, in concert with the chief executive officer of DEC. It is not "them and us"; DEC and local governments will help enforce these new offences.

Circumstances may arise, of course, in which police consider it appropriate to prosecute for a dumping offence. For example, someone may be pulled over for travelling along with a trailer with a dicky tail-light, but that person may also be found, in the course of the police inquiry, to have dumped waste or intend to dump waste in conjunction with the other criminal offence. It is, therefore, appropriate that police also have the potential capacity to prosecute for this offence. I think the member can see that we are serious about this. We have the instruments by which to put it into practice. I agree with the member for Gosnells that other pieces of legislation, including the building laws, relate to the disposal of waste. Of course, the whole point of the Waste Avoidance and Resource Recovery Act was to encourage recycling.

The member mentioned the dumping of tyres, which is one of the many types of dumped waste. We are looking to stop the dumping of tyres in our efforts to prevent the dumping of all waste. I thank the member for his comments that this legislation is a positive step forward with the promotion of this legislation to make a difference to our environment to stop the practice of dumping.

May I talk to the member for Maylands? I really enjoyed her speech, but I cannot find the notes that I made on her speech.

Ms L.L. Baker: I can give it again, minister!

Dr G.G. JACOBS: No; don't! But I congratulate the member for being almost a crusader in her area.

Several members interjected.

Dr G.G. JACOBS: She is indeed correct. I encourage the member by saying that, yes, there are very good people in her local DEC office; I think she mentioned Doug and Rebecca.

Ms L.L. Baker: Well done, minister.

Dr G.G. JACOBS: They are very responsive. That is what this is all about. However, there is also a pollution hotline—an 1800 number. There is also the Keep Australia Beautiful 1300 766 541 number. I rang that number this evening and it worked. If no-one answers, people are able to leave a message and a person will get back with the details. The pollution hotline is a 24-hour hotline.

It is appropriate for the member for Maylands to take details of a person suspected of illegal dumping, including details of the person's vehicle and trailer, the vehicle registration number and whatever. The government and DEC officers are serious about following up these reports.

It is interesting, member for Bassendean, to know, when departmental officers investigate a dumping, how often clues are left behind by illegal dumpers. One of my advisors down the back of the chamber showed me a picture of an illegal dumping in which paperwork documented someone's HBF account details, with an address, among the rubbish. The department has the ability to follow up those cases.

This is good legislation. I still cannot find my notes in response to the member for Maylands' very good speech.

Ms L.L. Baker: I am devastated, minister!

Several members interjected.

Dr G.G. JACOBS: Here we go!

The member spoke about where to take car bodies. The member mentioned a father and son who —

Mr R.H. Cook: Put them in a tree!

Dr G.G. JACOBS: Yes. The member for Nollamara would tell us that people could bury car bodies, as did her father, and that the tree above that buried car body flourished.

There is the possibility for scrap metal dealers to take old cars. If they will not dispose of vehicles legally and continue to dispose of them illegally, we will follow that up.

In regard to remediation efforts, if offenders are caught and prosecuted, remediation costs will be served in that prosecution. If an offender is not caught in a state forest or on public land, but is caught on private land, this legislation provides that, in order to stop the illegal dumping, the owner of that private land will not have to pay. One might say that to pay is pretty unfair. However, if the waste is dumped with the owner's knowledge, the government believes that it is important to send the message that there is a responsibility for both the person who dumps the waste and the owner of the land on which it is dumped, particularly if there were issues of collusion and if it were shown that there was a detrimental effect on Ellen Brook or some other local waterway.

Ms L.L. Baker: Minister, by way of interjection, does that mean I can be charged if somebody pulls into the back of my property where they can't be seen and tips a whole bunch of building refuse onto my firebreak?

Dr G.G. JACOBS: No.

Ms L.L. Baker: I am just checking!

Dr G.G. JACOBS: No, the member would not be charged because she would have had no knowledge of the dumping and because the material was in fact dumped illegally on her private property.

The member for Maylands asked: who is responsible for what? The Department of Environment and Conservation is responsible for the Environmental Protection Act. Local government and police can access the new offence and also retain the fines.

When is waste littering and when is it illegal dumping? Basically, three criteria distinguish between someone throwing a tissue out of a car window and someone depositing a whole trailer-load of tissues on a property or into a waterway. The criteria refer to volume, environmental impact and the type of waste dumped. The member referred to trailer prunings and a bit of oleander dumped on a state forest road. If, in fact, the volume of the material left on the road was sufficient, it could fulfil the dumping criteria, particularly if there were noxious weeds among the lawn clippings. A trailer-load of waste is probably sufficient to meet the criteria of dumping rather than littering, but there are enough descriptives in the definition of waste in the bill to ensure that the good people of DEC, those 200 trained experts, would look into such cases. If the member for Maylands talked to Doug and Rebecca, they would initially have a look at the matter, and they can talk to one of the 200 trained inspectors who will go out and look at the situation and work with Doug and Rebecca to build up a prosecution case to take the matter to court. It is about working with all the agencies, and also the people within those agencies.

Can people report dumping? Yes, people can report dumping and it will be deemed, depending on the circumstances, to be either littering or illegal dumping. DEC will investigate.

Do we have signage? Yes, but we recognise that it gets vandalised. Are there excuses for dumping? Ignorance of the law is no excuse. A genuine accident or an emergency may be a defence if evidence can support that action. I think I have dealt with the education program sufficiently.

I will finish because I see the Leader of the House looking rather expectantly at me to wind up. However, I genuinely wanted to respond to all these matters because we might not then have to go into consideration in detail. The member for Nollamara talked about bushland management and how important it is to look after the

Mirrabooka bushland site, which is now a Bush Forever site. It is important to protect all areas of the state, even those that are fenced. People continue to vandalise fences so that they can get into an area and dump waste. The Environmental Protection Amendment Bill is about providing appropriate penalties for illegal dumping.

The member for Nollamara said that prosecution is difficult. She asked how the government will get traction given that prosecution is difficult. I have been advised that existing offences under the act, such as pollution causing serious or material environmental harm and the discharge of waste in circumstances likely to cause harm or pollution, have elements that require proof. Sometimes it is difficult to prove that short-term environmental harm has occurred or that it has the potential to occur. That makes them unsuitable as offences involving inert waste or containers that are not leaking if there is no short-term environmental damage. That is why it has been difficult to successfully prosecute in the past. This bill will make it easier to prosecute and that is why the government is introducing that act as an offence. Currently it is difficult because the act provides that the offence has to result in short-term serious environmental harm. If we cannot prove that drums of chemicals that have been dumped by the side of the road are going to produce environmental harm or pollution, the offender receives a slap on the back of the wrist as a littering offence even though it is a dumping offence, which is why the government needed to amend the legislation. The bill will introduce that act as an offence and it will be prosecuted.

The member for Mandurah, fortunately, did not talk about dead cats as he did during the debate on the Waste Avoidance and Resource Recovery Amendment Bill. I agree with him that we need to change the culture of obsolescence—“we have finished with it, we’ll chuck it out and get a new one”. Much of what he referred to did not relate to this bill. The education rollout is very important. I cannot provide the number of prosecutions in land clearing; that information can be sought during budget estimates in May next year. I can, however, provide the number of prosecutions for littering. Since July 2008 there have been four prosecution for littering.

Mr D.A. Templeman: How many?

Dr G.G. JACOBS: Four.

Mr D.A. Templeman: Since when?

Dr G.G. JACOBS: Since 1 July 2008.

Mr D.A. Templeman: Is that all?

Dr G.G. JACOBS: Hang on! I understand a further 10 are pending. Over the same period, more than 10 000 infringement notices were issued for littering. The only matters that are prosecuted are those that are contested. If a person receives an infringement and decides not to pay, the matter goes to court.

Mr D.A. Templeman: Where did the 10 000 figure come from?

Dr G.G. JACOBS: From July 2008.

Mr D.A. Templeman: Is that in just over two years?

Dr G.G. JACOBS: Yes. The infringement notices have penalties of \$75 for a cigarette butt and \$200 for other litter, with \$1 000 being the maximum penalty. The Minister for Environment has informed me that we intend to increase those penalties. In the majority of cases it is not in the public interest to initiate a prosecution because an infringement notice is an appropriate enforcement tool in such circumstances. As I said, since July 2008, 10 000 people have been issued with an infringement notice. Prosecutions are undertaken for only the most serious littering offences or if an infringement notice is contested.

I thank the house for its support of the bill. Nine members spoke on the bill, including the member for Joondalup, who referred to shopping trolleys.

Mr D.A. Templeman: What about the education aspect of this and the promotion of the changes?

Dr G.G. JACOBS: With the greatest respect, the member for Mandurah did not return from his evening meal early enough.

The Department of Environment and Conservation will have more than 200 officers trained in the area of dumping. When the member for Mandurah was absent from the chamber, I made reference to his comment about local governments. Local governments are on board; we are encouraging them. Local government officers will have the ability to prosecute. They can work with DEC. DEC will run prosecution training courses for officers if that is what local governments want. The prosecution fee will go to local government when the local government prosecutes. The only thing that we ask is that a local government communicates its decision to prosecute with the CEO of the Department of Environment and Conservation so that we are all on the same page. We understand that it is a dumping prosecution and that it does not fall within a tier 3 offence. It is a tier 2 offence. The Keep Australia Beautiful Council works closely with DEC. In fact, two KABC officers work in the enforcement unit in DEC. The postcard I am holding is an example of what will go into letterboxes. It describes illegal dumping

and contains pictures that help explain that people should not dump on vacant land or outside charity bins. A lot of people dump their stuff outside a charity bin if it is full. That is not acceptable. The postcard refers to dumping in residential lots and to abandoning shopping trolleys. I am sure that the member for Joondalup is happy with that. It also refers to littering waterways. Being the Minister for Water, I am happy about that. That is the type of education campaign that will go ahead after the bill is passed.

I thank members for their support. This legislation genuinely looks at —

Mr A.P. O’Gorman: Can an organisation that owns shopping trolleys be prosecuted under this bill for the abandonment of a trolley?

Dr G.G. JACOBS: The issue is whether a solitary shopping trolley is a tier 2 offence, whether it is a tier 3 offence or whether it is isolated. The three criteria involved in dumping are volume, the environmental impact —

Mr A.P. O’Gorman: If there are 150 in the community around shopping centres, that is volume. But they are being taken away from shopping centres by individuals and dumped. There is a large volume around the neighbourhood.

Dr G.G. JACOBS: It is the use of the shopping trolley. Even in my little town of Esperance I have taken quite a few shopping trolleys back to Woolworths in the back of my car. They are a beast of a thing to transport in the boot of a car, too, I can tell the member. If it was a single trolley that had been left on my verge, or whatever, that would be different from 10 trolleys that had been left on my verge. Another consideration is the environmental impact that it would have. The member talked about the danger that a trolley might roll onto the road and someone would run into it. All those things would need to be considered. Many of the solitary shopping trolleys that are left behind by people, either because they are too lazy to take them back or because they do not have a vehicle, so they fill up the trolley with all their stuff and trundle it home and just leave it there, would come under the Litter Act. That would depend upon the nature, the volume and the environmental impact. So, in answer to the member’s question, those matters would be considered by the prosecution agency, which is the Department of Environment and Conservation. I agree with the member for Joondalup that too many people are just leaving shopping trolleys lying around the place. It is an important issue. It is obviously also an important issue for the Keep Australia Beautiful Council.

Mr R.H. Cook: Do you support the member for Joondalup’s proposal that someone be fined \$62 000 for leaving a shopping trolley behind?

Dr G.G. JACOBS: As I have said, again, it is volume. If someone left 100 trolleys outside my place, perhaps so; but if someone left a solitary trolley there, I think it would probably fall under the Litter Act. Of course we intend to increase the fines under the Litter Act to more appropriate levels than just a maximum of \$1 000.

I thank members for their contribution to the bill. Indeed, I believe this legislation will make Western Australia a better place.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

DR G.G. JACOBS (Eyre — Minister for Water) [9.11 pm]: I move —

That the bill be now read a third time.

MR C.J. TALLENTIRE (Gosnells) [9.12 pm]: I wish to make a brief contribution to the third reading debate on the Environmental Protection Amendment Bill. I thank the minister for his comments in response to the second reading stage of the bill. I note that we saw around the chamber a commonality of views, where people expressed their frustration about the amount of littering and dumping that is taking place in this state, a shared desire that action be taken, and a belief that this legislation will go some way towards solving the problem of littering and dumping. That is encouraging. I thank the minister for his comments. I also thank the minister’s advisers, who have stayed here diligently to ensure the minister is in a position to deal with any details that might arise. I was especially pleased to hear from the minister that section 99Y of the act does deal with the issue of remediation. There are foreseeable circumstances in which a penalty might be imposed on a person. But the real cost to the state of Western Australia in dealing with the problem of dumping could be far more than the actual amount raised through the imposition of the penalty. If noxious weeds have been dumped in an area, the eradication of those weeds may cost many hundreds of thousands of dollars. So it is nice to know that potentially under section 99Y a person may be charged through the legal process to pay for those costs. Many of the other examples that members have raised would also incur costs. The extraction of a car body that had been dumped in state forest would certainly involve a cost. So it is nice to know that the perpetrators of these sorts of offences may be charged for that.

During the second reading debate many members noted the strong action that is being taken by the many volunteer groups that look after our natural areas, our nature reserves and our Bush Forever sites. Many people are engaged in looking after places of beauty and recreation. Unfortunately, however, much of their work is focused on this terrible problem of having to clear out rubbish and dumped materials. So it was pleasing to hear that these groups are maintaining their enthusiasm for this important work. It would seem that this enthusiasm exists in many electorates across the state.

The media campaign to inform the public of these new penalties is very important. I note the minister's comments about the postcard that has been put out by the Keep Australia Beautiful Council. That is a positive step. I would also like to be reassured that this remediation issue will be presented in the media campaign, and that it will be targeted to sectors that we know are prone to offend in this area. Many speakers mentioned the problem of the dumping of building and demolition waste in bushland areas. We need to target the people involved in the building industry and send the strong message that the dumping of building waste is not acceptable, and they will incur not only a penalty but also the cost of remediation. I also welcome the news about the establishment of a pollution hotline.

Something that struck me during the course of the second reading debate is the wide range of portfolios that is touched by this issue. Mention was made of Bush Forever sites. As I understand it, those sites come under the responsibility of the Minister for Planning. This is also fundamentally an environmental issue, so in many cases DEC officers will be involved. The Minister for Agriculture and Food may also be involved, because there may be a problem of weed eradication, hence the involvement of people involved in biosecurity, or of waste being dumped in state forest. The Minister for Water may be involved, because, as he mentioned, there is a risk associated with the dumping of toxic materials, or indeed shopping trolleys, in our waterways, because that may cause mass fish kills. Local government may also be involved. Ultimately there is also a potential for the police to be involved. A range of portfolios may in some way be touched by this problem of illegal dumping. So it is encouraging to note that stronger penalties will be put in place. But I would like to be assured that there will be some sort of cross-agency responsibility for this area as well. Perhaps a working group should be established at senior government officer level to ensure that there is a sharing of knowledge and an understanding of the responsibilities and powers of officers in investigations and prosecutions, so that this legislation is applied across all agencies. I, like all members on this side of the house, am pleased to support this legislation.

DR G.G. JACOBS (Eyre — Minister for Water) [9.19 pm] — in reply: I will not make a long speech. But I would like to thank the member for Gosnells for his contribution in leading the debate, and all the other speakers in this debate, for giving in-principle support to this very important legislation. I would also like to thank my very patient advisers, who have been sitting at the back of the chamber almost all day: Mr Stuart Cowie, acting director, sustainability, Department of Environment and Conservation; Mr Tim Macknay, senior legal officer, Department of Environment and Conservation; and Josh Harris, policy adviser to the minister. I ask them to also pass on my thanks to Cara Babb, principal policy adviser, Office of the Minister for Environment; Youth.

I will pass on salient aspects of this debate to the minister in the other place. I also thank members for their positive and congratulatory comments to the minister, which I will also pass on, in introducing an important piece of legislation for Western Australia.

Question put and passed.

Bill read a third time and passed.

APPROPRIATION (CONSOLIDATED ACCOUNT) RECURRENT 2009–10 (SUPPLEMENTARY) BILL 2010
APPROPRIATION (CONSOLIDATED ACCOUNT) CAPITAL 2009–10 (SUPPLEMENTARY) BILL 2010

Cognate Debate

MR C.J. BARNETT (Cottesloe — Treasurer) [9.20 pm]: In accordance with standing order 169, I seek leave for the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010 and the Appropriation (Consolidated Account) Capital 2009–10 (Supplementary) Bill 2010 to be considered cognately, and for the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010 to be the principal bill.

This is in accordance with the established practice of this house that the supply bills, in this case both the capital and recurrent bills, will be dealt cognately and allows the consideration in detail to address both bills. It is normal practice and I hope members will support that.

Leave granted.

Second Reading — Cognate Debate

Resumed from 9 November.

MR B.S. WYATT (Victoria Park) [9.23 pm]: I rise tonight to speak to these two bills, the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010 and the Appropriation (Consolidated Account) Capital 2009–10 (Supplementary) Bill 2010. As the Treasurer has pointed out already, and the house has given leave for the Premier and Treasurer to have the bills dealt with cognately with the recurrent bill as the principal bill, this leaves room for some general debate during the second reading process and there will be a number of speakers from the opposition speaking on this tonight.

As pointed out in the Treasurer's second reading speech, we are dealing with section 27 of the Financial Management Act 2006 that is titled "Expenditure in advance of appropriation" which in part reads —

- (1) The Governor may, on the recommendation of the Treasurer, authorise expenditure in a financial year that is not provided for by an appropriation by an Appropriation Act for that year.

And, in particular —

- (3) Expenditure may be authorised under subsection (1) or (2) only to make payments in respect of extraordinary or unforeseen matters.

I give the Premier and Treasurer notice that there will be some focus from the opposition on those key words "extraordinary or unforeseen matters", because a cursory look at the schedule attached to both the recurrent and the capital bills suggests to me, although with the information that has been attached to the schedules of those bills we cannot delve too deeply, that not all this spending can be described as "extraordinary or unforeseen" as it certainly seems to be spending in the ordinary course of government activities. I dare say, therefore, that the Treasurer's Advance Authorisation Bill 2010, which went through the Parliament in March of this year, is starting to deal with the ordinary day-to-day activities of government. The Treasurer's advance in some circumstances is being used simply to fill in funding holes for the ordinary operations of government, as opposed to what section 27 of the Financial Management Act says, that is, for "extraordinary or unforeseen matters". The opposition will be asking the Premier and Treasurer to expand on some of the detail contained in schedule 1 and 2 of the two bills.

The previous Treasurer provided the opposition with another schedule that further broke down the spending attached to the schedule in the bill. Has the Department of Treasury and Finance provided the Treasurer with a further breakdown, and does the Treasurer intend to provide the opposition with that breakdown?

Mr C.J. Barnett: Yes, I will provide that.

Mr B.S. WYATT: Will we get that before the consideration in detail stage?

Mr C.J. Barnett: I will get it to you this week, before we get to consideration in detail.

Mr B.S. WYATT: It would be of some use if the opposition could have that information sooner rather than later, because I dare say it will make the consideration in detail process more efficient if the opposition is provided with as much information as possible. I reflect on some of the speeches made by Hon George Cash in the other place about former Labor governments—I dare say Labor governments before I was a backbencher, which goes back a considerable way. Hon George Cash used to make quite scathing remarks when the government of the day would bring in the Treasurer's advance without that further information. I think the Treasurer will find that is a way of short-circuiting much of the debate. If the Treasurer could get his staff to provide that information as a matter of reasonable urgency, I think he will find the consideration in detail phase a lot more efficient, certainly from the opposition's perspective.

Mr C.J. Barnett: I will provide you with a copy of that tomorrow. I think it is all prepared. I have not got it with me.

Mr B.S. WYATT: I look forward to that, Treasurer. I am not sure when the Leader of the House wants to adjourn tonight, but I dare say that the second reading stage will continue tomorrow in any event, so tomorrow may be appropriate.

In the Treasurer's advance process, we effectively confirm what is spent, as authorised in the Treasurer's Advance Authorisation Bill passed in March this year. We are now looking at what was actually spent. Similarly, I indicate a cursory comparison of the schedule attached to the documents that the former Treasurer provided the opposition back in March with the schedule attached to the current Treasurer's bill, which shows that there are some considerable differences. That is something of keen interest to the opposition. Why is it that money that was authorised by the Parliament outside of the normal budgetary process for a specific reason for an extraordinary or unforeseen matter is not spent, is overspent or, in some cases, is spent in areas that were not first highlighted in the original Treasurer's advance? The opposition is keenly interested in that because the former Treasurer, the member for Vasse, has over many years made a number of critical comments about the Treasurer's advance process. It is something I will reflect on tonight in some of the recommendations that fell out of the Economic Audit Committee about this process.

As we know, the Treasurer's advance process has not been a happy process for this government. It has not been perhaps one of its shining hours when it comes to dealing with the Treasurer's advance and with those moneys that are spent outside of the normal budget process. I recall quite keenly the wee hours of a morning in March 2009 when the opposition had the former Treasurer, the member for Vasse in the hot seat, as it were, questioning him about details of some of the spending. To his credit the member for Vasse was endeavouring to answer the opposition. However, the Premier, somewhat discombobulated by the late hour, came in and kicked the Treasurer out of his chair—turfed him out of his chair—

Mr M. McGowan: Dismissed him!

Mr B.S. WYATT: The Premier dismissed him and sent him off to the toilet. The member for Vasse scuttled out the back. I am not sure why he had to go to the toilet, but away he went and the Premier and Treasurer—sorry, he was just the Premier then and not the Treasurer—popped himself down in the seat and immediately contradicted the Treasurer's answers. It was quite memorable. From memory, we were debating education expenditure and money for teachers and the Treasurer had spent 20 minutes confirming his exact position on that debate, only to be immediately contradicted by the Premier in his very brief sojourn into the Treasurer's chair in the early hours of 31 March 2009. Thankfully, the Premier rapidly became de-discombobulated and the Treasurer returned to his seat, and debate continued somewhat normally until the member for South Perth leapt to his feet and applied that vicious guillotine in a most unaccountable manner, which ensured that we had what was at the time, and still remains to this day, the highest Treasurer's advance authorisation on record—\$1.2 billion! We all remember that—\$1.2 billion—closely followed by the Treasurer's advance in March this year of \$1.15 billion. It is worth reflecting for a minute on the reflections of the former Treasurer, the member for Vasse, when he sat on this side of the house, both as shadow Treasurer and as Leader of the Opposition, on the advances of the former Treasurer, the member for Belmont, and the comments that he made about the amounts that the former Treasurer, the member for Belmont, sought. That was on 10 May 2006. That would have been my very first budget process, member for Armadale, and quite an exciting time it was too! On 10 May 2006, the member for Belmont, the then Treasurer, sought a Treasurer's advance of \$500 million. At the time, a media release spat out by the member for Vasse stated—

Shadow Treasurer Troy Buswell said the move was just another example of Labor's inability to manage the finances of Western Australia.

He then went on to say that the government's—

... request today for an extra \$200 million—

Remember that the whole TA was \$500 million and he sought an extra \$200 million—

seemed to indicate the Government had a budget blackhole that it was desperate to fill.

In fact, the Leader of the Opposition has entered the chamber. I am sure that he will remember keenly this debate in May 2006 when the member for Vasse, the then shadow Treasurer, viciously attacked him about the huge Treasurer's advance that he sought at that time in 2006. The then shadow Treasurer, the member for Vasse, was quoted in *The West Australian* on 19 December 2007 as saying—

Shadow treasurer Troy Buswell said Mr Ripper's raid on the Treasurer's Advance Account showed the Treasurer had lost control of the State's finances, primarily because the Premier had gone on a spending spree with a string of recent funding announcements.

The difference is, of course, that our spending sprees were actually brought to book! We are still waiting to see a whole range of different costly exercises from this Premier and Treasurer brought to book, so we do not even know the real impact of what the Premier is up to. Furthermore, this is a *Hansard* quote from March 2008 and, again, the member for Vasse said—

As the member for Churchlands rightly pointed out, when we debate this urgent bill that has been brought in by the Treasurer, all we are doing is acknowledging his incompetence and the government's incapacity to manage the finances of this state properly. The member for Churchlands is absolutely right—if the Treasurer worked for a private sector business, he would have been sacked a long time ago.

Heavens above! The member for Churchlands has seen the light—she is now no longer so concerned about Treasurer's advances blowing out to the tune of \$1.2 billion last year, closely followed by \$1.15 billion this year. How things have changed!

Dr A.D. Buti interjected.

Mr B.S. WYATT: I will be interested to see! We have a midyear review coming up, member for Armadale, and that is where we will get our first little look at what the expectation for the next Treasurer's advance is going to be. Surely, it cannot be over another \$1 billion, member for Armadale. Surely, it cannot be over \$1 billion for a

third time round! I would be very surprised. Only the most rank incompetence would get it over \$1 billion for the third time in a row, and I am sure that the Premier and Treasurer, now that he has had his vicelike hands on both levers of power, has been able to bring the out-of-control steam train that is public sector expense growth under control, so we will not see a Treasurer's advance over \$1 billion for a third year.

Mr C.J. Barnett: From 12 per cent to seven per cent is a pretty good result, I would've thought.

Mr B.S. WYATT: Where did that seven per cent come from?

Mr C.J. Barnett: Read the media releases—public sector expenditure.

Mr B.S. WYATT: I prefer to read the *Annual Report on State Finances*, which is something that the Premier may not be familiar with. The *2009–10 Annual Report on State Finances* shows expense growth going from 13.5 per cent to 10.9 per cent, from memory. There was no seven per cent; it was 10.9 per cent. This is an interesting approach that has been taken by the Premier and Treasurer, and, indeed, a similar approach was taken by the former Treasurer—that is, if we take out all the big spending items, it is actually not that bad. If we take out all the things that cost a lot of money and all the things that are driving the expense growth, our expense growth is not that bad. Certainly, when I look at the *Annual Report on State Finances*, those state finances that the Premier generally likes to ignore or push off to the never-never, what I see is 13.5 per cent followed by 10.9 per cent. We heard the Premier say that expense growth down to seven per cent is not bad. What we saw under the former Labor government over nearly eight years was average expense growth of 7.5 per cent. Of course, there were overs and unders in that, but there was 7.5 per cent average expense growth during a time when the state economy doubled. That is not too bad, the Premier says. However, during a time of a slower economy—certainly not a slowing economy, but a slower economy—we saw expense growth at 13.5 per cent and 10.9 per cent because that is what the *Annual Report on State Finances* said. If we were to give 7.5 per cent to this government over the last two years, with all things being equal in the current budget over the forward estimates, \$6 billion is how much better off we would be, member for Armadale. Does the member for Armadale think he could do a few things in his electorate with that sort of money?

Dr A.D. Buti: Very much!

Mr B.S. WYATT: That is the difference. The Premier does not like it. He does not like the fact that his own spending is at 10.9 per cent. But that is not too bad, according to the Premier. It is still double figures, but he has got it down to 10.9 per cent. That is not too bad, he says through gritted teeth.

When I went back and read through the debate in *Hansard* on the Treasurer's Advance Authorisation Bill in March this year, it was quite a wonderful read. Believe it or not, members, it was a wonderful read! It was the second wonderful error in the Treasurer's advance process made by the government. Instead of the Premier making this error, though, in assuming control of the driver's seat, it was the Treasurer himself who managed to lose a lazy \$210 million in his documents. We remember that. I know that the member for Rockingham remembers that with great keenness, because he then moved a matter of public interest motion on that very topic. I do not know—I have not been here that long; as the Premier said, he has been here 20 years—whether, during debate on the Treasurer's advance, an MPI had been moved before in respect to the incompetence of the Treasurer of the day, who handed out a document missing \$210 million; I do not know. As the Treasurer said flippantly at the time, "It was an error. It was more cut than paste; that's the problem." But the fact of the matter is that what was clear during debate—members can go back and read *Hansard*—is that the Treasurer gave out documents with a breakdown of \$1.15 billion in spending outside the budget process that he had not read. That is what happened; he simply had not read the document.

Mr M. McGowan: He then hid from the media for five days.

Mr B.S. WYATT: I noticed when reading the matter of public interest debate in *Hansard*, member for Rockingham, that the Treasurer disappeared off to Cowaramup and absconded from media scrutiny, only to slip a copy of the corrected document, I guess with an equal amount of paste as cut, to the opposition on the following Tuesday, some four days after the embarrassing error was discovered. At that time, the then Treasurer, the member for Vasse, tried to decry it as nothing more than a simple mistake. However, this is why I think the Premier previously described the then Treasurer as sloppy. The Treasurer missed those details when he did not read the documents that he brought to the Parliament, particularly the Treasurer's advance legislation, which is, as I have said, members, spending outside the normal budgetary process. That in itself is not unusual; what is unusual is the size of spending that this government has been seeking—\$1.2 billion and \$1.15 billion. Therefore, when the Treasurer got those basics wrong, and when he did not drag out the calculator and add up the numbers so that they actually added up to the amount that the government was seeking in the legislation, we started asking questions. The member for Rockingham at the time stumbled across the \$210 million hole. It took the Treasurer completely by surprise. What was clear during the debate is that the Treasurer had not read the document that he had handed out to the opposition.

When we talk about the Treasurer's advance, what we have been talking about a lot in this place over the past little while has been the accountability of this government to stand by its decisions by arguing for them and allocating money for them and not, now that it is over two years into its term, still try to blame the former government for its own mistakes. It should be accountable when things go wrong, table documents and ensure that the activities of government are held up to the light and scrutinised. What we have seen in the past little while is the Auditor General make a number of interesting findings within this government. Although the Auditor General's title is not perhaps the sexiest and is not a title that screams out that we should all head out to listen to what the Auditor General has to say, he does indeed table some very interesting documents. I dare say that they are documents the opposition finds more interesting than the government does. I dare say that governments tend to be rather intimidated by the Auditor General. I say "governments" because the Auditor General over time has managed to highlight poor procedures and embarrass governments of both political persuasions.

What we have seen over the past couple of months are a couple of Auditor General reports that show that the detail is being missed. The Premier and Treasurer will no doubt say that we focus on the detail and we focus on process, but that is where things go wrong. That is why we have the Auditor General, and that is why the Auditor General produces reports such as the "Audit Results Report: Annual 2009–10 Assurance Audits: Report No 10—November 2010". I put a question to the Premier and Treasurer about significant financial mismanagement practices. He did not seem to think that it was an issue. However, I want to reflect and spend a bit of time on this document, because when we are looking at the Treasurer's advance and the processes that lead to significant spending outside the budget process—as I said, such spending should be for extraordinary and unforeseen matters, as opposed to the general activities of the government of the day—we start to see why and where things start to break down. They break down in the small areas, where it takes a little while for it to filter through to the mainstream media perhaps, until we start seeing these sorts of reports coming from the Auditor General.

In respect of financial management issues, the Auditor General found at page 13 of the report —

- 366 financial management control deficiencies were identified in 2009–10—a similar number to the previous two years. However, —

This is the key point —

19 per cent of these deficiencies were rated as significant, meaning that we considered they required immediate attention. The number of significant deficiencies has doubled in the last two years.

The Auditor General defines the term "significant" to be —

- significant—potentially presents a significant risk to the agency if not addressed promptly. Such control deficiencies may lead to a qualified opinion

The Auditor General broke it down into different areas, and 19 per cent of those deficiencies were rated as significant. It is not something that the Premier and Treasurer can just dismiss flippantly, as he did during question time last week. These are serious breakdowns in the financial management practices of the state government across a broad range of different government agencies. Those controls can be expenditure controls, revenue controls and human resource and payroll controls. The Auditor General recommended —

All agencies should ensure that management control deficiencies brought to their attention during their audit are addressed to ensure the continuing integrity of their financial control environment.

A doubling of significant financial management deficiencies is now impacting on the integrity of those government organisations that are experiencing this huge increase in financial management deficiencies. The Auditor General also noted —

... it was disappointing to note that 53 control deficiencies at 19 agencies were unresolved deficiencies from the prior year.

That means that financial deficiencies that had been brought to the attention of government agencies had not been acted on and rectified. The lack of financial integrity in those agencies had continued even after the Auditor General had brought that particular government agency's attention to the failure of that practice.

The report also reflected on qualified opinions that it had issued on five different organisations. I want to reflect on one of them because it is pertinent to something I want to speak about a little later, and that is the Department of Agriculture and Food. The Auditor General gave the Department of Agriculture and Food a qualified opinion in respect of its key performance indicators. The Auditor general reported —

Nine of the Department's KPIs of effectiveness reported at 30 June 2010 either did not relate to or were not an appropriate measure of the Department's effectiveness as they had limited correlation to the Department's outcomes.

The Department of Agriculture and Food was giving itself KPIs that do not at all relate to what the department actually does. When members of Parliament and Western Australians ask how the taxpayers' money is going in the Department of Agriculture and Food, we see the Minister for Agriculture and Food stand at every question time and speak for 25 minutes in response to a Dorothy Dixey asking how his department is going. Then we look down at the KPIs that are all ticked off and looking good. However, we realise, thanks to the work of the Auditor General, that the KPIs actually do not relate to what it is that the Department of Agriculture and Food does. That is why the Auditor General gave the Department of Agriculture and Food a qualified opinion. That department was not alone. The Department for Child Protection got a qualified opinion on KPIs. The Local Health Authorities Analytical Committee got a qualified opinion on KPIs. Racing and Wagering Western Australia got a qualified opinion on KPIs. Those are four not insignificant organisations that have KPIs that do not match what it is that those organisations do. This is a significant finding of the Auditor General. The Premier may have been Treasurer for only a short period, but he is the head of government and he knows one cannot run a ship that measures itself in this way. The Auditor General has now drawn this to the attention of members of the public and members of Parliament. The Premier and Treasurer must now act on what the Auditor General has found.

I also want to reflect, if I may for a minute, on statements of corporate intent. This is an interesting finding of the Auditor General. I want to quote him at page 26 of the report, which reads —

Widespread non-compliance with the legislative requirement to table annual Statements of Corporate Intent (SCI) continues.

“Continues” —

SCIs contain details of the annual contractual agreement between the agency and the government and are intended to be tabled in Parliament by the relevant Minister either before commencement of or early in the financial year to which they relate. At 30 September 2010, SCIs for 15 of 22 agencies had not been tabled for 2010–11. Nine out of 19 agency SCIs have not been tabled for the prior year.

Why do we worry about SCIs? First, it is the law that these agencies have to prepare them, draft them and get them ticked off by the Treasurer and then get them ultimately tabled in the Parliament. As the Auditor General reports —

SCIs are therefore an important governance and accountability mechanism.

Let us look at some of the organisations that, at the time the Auditor General's report was tabled, had outstanding SCIs. I will note that some have since been tabled in rather a rush. Late last week we saw a rush of SCIs tabled in the Parliament. Certainly, as at Friday, the Chemistry Centre had not tabled an SCI for the past three years. The Forest Products Commission had not tabled an SCI for the past three years. At that time LandCorp had not tabled an SCI for the past three years, although on Friday it tabled its 2010–11 SCI with the previous two statements of corporate intent outstanding. It goes on and includes the Insurance Commission of Western Australia and Racing and Wagering WA. The ports were huge offenders. The Bunbury, Dampier, Esperance, Geraldton and Port Hedland ports tabled their statements of corporate intent in a rush last week. The Auditor General highlighted this failure of management. It is a failure of governance. These are not meaningless documents; these are documents that the Parliament has stipulated must be prepared, must be ticked off by the Treasurer and must be tabled here. These are key governance requirements. The question that obviously arises is whether it is the agencies that are having problems with preparing statements of corporate intent—as I said, a lot of agencies have not tabled SCIs for a number of years—or whether it is the fault of the ministers. Is it Hon Simon O'Brien's fault? Probably. At last there has been a rush to table the SCIs of the port authorities. I daresay I am getting closer when I ask: was it the Treasurer's fault? Under the enabling legislation for most of these organisations, the Treasurer has to concur with the statements of corporate intent as prepared by the department and submitted to him in draft form by the minister. I have no doubt that the pile of documents on the Premier's desk down at Governor Stirling Tower is getting higher and higher. The statements of corporate intent are gathering dust as the various agencies poke their ministers and the ministers poke the Premier and beg him to comply with the law as laid down by this Parliament. Finally, after the Auditor General embarrassed the government with his report, there has been a keen rush of statements of corporate intent.

I picked on the Minister for Agriculture and Food a little this evening. His department has come off poorly from the Auditor General's report. The key performance indicators of the Department of Agriculture and Food do not match what it does. We have not seen a statement of corporate intent from the Forest Products Commission for three years. I do not know what is going on down there. I do not know whether the minister is willing to give me a wink and a nudge to suggest whether it is the Premier's fault or his own fault. What we have seen in a number of different areas—the financial management deficiencies, the KPIs and the lack of statements of corporate intent—is a breakdown of the key nuts and bolts of financial management. That is why when the former Treasurer placed a document before the Parliament and the opposition that missed out \$210 million—the entire recurrent spending under the Treasurer's advance to the Department of Health—the opposition kicked up a bit of a stink, as one would expect. The former Treasurer can carry on all he likes about there having been too much

cutting and not enough pasting, but that mistake reflects his sloppy nature and the fact that he never really had an eye on the detail of his job. He was good at the bluster, at the bravado and at throwing toilet paper around the chamber, but when it came to the key details of managing the state's finances, he took that as the punchline of his job. It was not what he was here to do.

Mr M. McGowan: I think he was a one-hit wonder.

Mr B.S. WYATT: He was a one-hit wonder, member for Rockingham.

Dr A.D. Buti: Not too big.

Mr B.S. WYATT: Yes, although we can question how big that hit was, member for Rockingham.

Mr M. McGowan: We can think of some examples, can't we?

Mr B.S. WYATT: I can think of a few examples. My entire tape, record and CD collections are replete with one-hit wonders. In fact, I actually think that the best thing on 720 ABC—you will like this, Mr Speaker—is the dance tracks played by Geoff Hutchison. I eagerly await the 10.30 dance track each morning, because more often than not it is a song in my collection. In fact, yesterday's dance track was Rick Astley's *Never Going To Give You Up*. However, I think the Premier has given up on the former Treasurer. He certainly is not as funky as Rick Astley once was.

Mr M. McGowan: He was a one-hit wonder because he only did one budget.

Mr B.S. WYATT: At the moment he has done only one budget. We eagerly await whether the member for Vasse will return to his former role.

Mr P.C. Tinley: The comeback kid.

Mr B.S. WYATT: The comeback kid!

Mr M. McGowan: He was like *My Sharona* by The Knack.

Mr B.S. WYATT: By The Knack—I do not plan bursting into song on that.

Mr W.J. Johnston interjected.

Mr B.S. WYATT: I know *My Sharona*. I will not say I am a keen fan of *My Sharona*. I daresay that it is probably from the 1970s and not the 1980s.

Mr M. McGowan: No, it was 1981.

Mr B.S. WYATT: It was 1981. Okay.

Mr W.J. Johnston: It was 1979.

Mr B.S. WYATT: I am going with the member for Cannington!

Mr M. McGowan: *Come On Eileen* by Dexys Midnight Runners.

Mr B.S. WYATT: Now that is a good song.

Mr M. McGowan: That is him—a one-hit wonder.

Mr B.S. WYATT: That is one of my favourite songs. I do not want to compare the member for Vasse with a song I actually enjoy because I would never enjoy the song again.

Mr W.J. Johnston: Do you know that *My Sharona* was on George W. Bush's iPod?

Mr B.S. WYATT: I am not sure what to do with that piece of information, but I thank the member for Cannington.

I will drag my wanderings back to the Auditor General, because he has done, and always does do, a wonderful job. I have already raised three significant issues on which the Auditor General critiqued the government and found it wanting.

The Auditor General made another quite incredible finding. No doubt the member for Ocean Reef will be very keen on this. It is about the professional status of chief finance officers. This is extraordinary. The Auditor General states in his report —

We found that 81 per cent of agency CFOs are suitably qualified, —

That means that 19 per cent of CFOs are not qualified for the positions they hold in government agencies. He continues —

Six agencies, five metropolitan agencies and one regional agency, did not have CFOs that were qualified or exempted.

The Auditor General went on to say —

Suitably qualified is defined as current membership of CPA Australia, the Institute of Chartered Accountants in Australia, the National Institute of Accountants or an overseas accounting body that is recognised by at least two of these bodies as having requirements for membership equivalent to those of the approving body.

Twenty per cent of chief financial officers in government agencies are not qualified to do the job. That is not an insignificant number of chief financial officers who do not have the relevant qualifications to have that job, as deemed by Treasurer's Instructions back in 2006. We have in this one report by the Auditor General findings that 19 per cent of all financial management deficiencies are significant, with that number doubling in one year; the KPIs of the Department of Agriculture and Food, for example, do not relate to what the department does; there is complete disinterest from the government in the statements of corporate intent; and some chief financial officers are not qualified to do their jobs. I have particularly focussed on the KPIs because of the wonderful million-dollar document that the government put out over a year ago. The final report of the Economic Audit Committee, which was given to the government in October last year, is called "Putting the Public First: Partnering with the Community and Business to Deliver Outcomes". I have put a few questions on this document to the Premier and Treasurer during question time. I have asked whether the Premier and Treasurer have any idea about when some of the recommendations might be implemented or worked on. The Economic Audit Committee highlighted at recommendation 7 that the government should —

Modify the existing performance reporting regime by:

- a) ensuring Key Performance Indicators (KPIs) for service delivery to citizens and the community are aligned with Outcome Areas;

When I first read that I did not think it was that big a deal to have a KPI that aligns with the outcome areas. That does not seem like an outrageous suggestion. I was surprised that the Economic Audit Committee needed to make that comment until the audit report tabled just last week highlighted that the Auditor General had identified that the KPIs of four government agencies—there are possibly more; this was a random sample—do not actually measure what those agencies do. Something that I took particular interest in and which formed the topic of discussion and debate during the former Treasurer's first Treasurer's advance authorisation bill was the Treasurer's advance process itself and the lack of accountability and transparency in that process. I accept that the Treasurer's advance process has been in place for a long time; it has not come about as a result of this government's activities. But, just tonight, the Treasurer has said, "Well, I've got this document for you that has the breakdown, but I'll give it to you tomorrow." These documents were tabled last week; we are debating the matter tonight, and we will be debating it again tomorrow and Thursday, yet the opposition still does not have a breakdown of what is, apparently, \$1.15 billion in authorised spending. I do not think that is acceptable and I do not think the people of Western Australia will think that is acceptable, and the government itself, in its Economic Audit Committee final report, does not think that is acceptable.

Recommendation 5 of the Economic Audit Committee final report states —

Strengthen the budget process to promote efficient, effective and innovative achievement of outcomes by:

- a) phasing in new funding models to derive agency budget year and forward estimates —

The Premier and Treasurer does not believe in forward estimates—maybe that bit will fall away —

based on robust cost and demand modelling;

- b) enhancing accountability through:
 - i) replacement of the existing centrally managed Treasurer's Advance with the allocation of specific Ministerial portfolio contingency provisions;
 - ii) a requirement that agencies seeking funding over and above that which is available from their portfolio's contingency undertake a value for money audit and/or price review, subject to materiality; and —

This will be very useful, Mr Speaker —

- iii) end-of-year reports by Ministerial portfolio, detailing material variances between budget estimates and actuals and the extent of utilisation of portfolio contingencies, for consideration at 'closing-out' hearings of the Estimates Committee; and
- c) contributing to a public service culture that promotes value for money and innovation in service delivery by empowering agencies through multiple year budget allocations, based on more robust estimates, over a longer time horizon.

If we delve further into this rather weighty, million-dollar final report from the Economic Audit Committee—I wait with interest to see whether the government does anything with these recommendations—we see that the

committee expanded on its reasons for stating that it saw the reform of the Treasurer's advance process as necessary to improve accountability and ensure that ministers are accountable when they seek money above that which was appropriated. Page 15 of the final report, under the heading of "Delivering on Priorities", states —

Where an agency requires additional appropriations to fund unforeseen expense increases or revenue shortfalls within the budget year, supplementary funding is available through the centrally managed Treasurer's Advance. This Advance is capped at three per cent of total appropriations for the previous year and is approved by Parliament after the end of the financial year.

That is what we are doing tonight and over the next couple of days —

This process provides no effective deterrent to agencies seeking supplementary funding. Indeed, it is more likely to reward overspending than appropriate guardianship of public resources.

This incremental approach puts constant pressure on the State's financial position.

Footnote 7 about that states —

Actual expenses in the general government sector in Western Australia have exceeded budget estimates by 2.6 percentage points on average over the seven years to 2007–08. Expense growth averaged 7.5 per cent per annum over the same period.

I have outlined that previously. I will quote one more sentence from this final report, which states —

Without greater certainty in funding, it will be difficult for agencies to provide assurances of funding to community organisations that are delivering services on their behalf. In the United Kingdom, where more long term budget processes are in place, the evidence suggests that there is greater realism in estimates, greater certainty of resourcing for agencies over a longer period, and a greater level of trust that agencies can establish realistic future costs and demands and will deliver to budget over the longer term.

The problem is that we have a Premier and Treasurer who does not actually believe in forward estimates. We have a suite of recommendations and findings from the Economic Audit Committee that could actually bring more rigour to the financial process and more rigour to the Treasurer's advance process and could ensure that we do not find ourselves in the position in which we have found ourselves over the past two years—that is, with a massive \$1.2 billion request for spending outside the budget process. Again, this year, there has been a \$1.15 billion increase in spending outside the budget process, and the Treasurer has lost \$210 million along the way.

As the Treasurer's own document states, the process does not actually encourage government departments to budget accordingly; they know that they can go through the central process—the Treasurer's advance process—and all will be provided. We know that, because when it comes into the Parliament, we have a situation whereby the Premier and Treasurer says, "You can have the breakdown on the spending tomorrow", despite the fact that this bill was tabled last week and despite the fact that by the time tomorrow comes around we will have had a number of hours' debate on the Treasurer's advance.

As I have said, we are dealing with a large sum of money. A cursory glance at the schedule attached to the Appropriation (Consolidated Account) Capital 2009–10 (Supplementary) Bill 2010 and the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010 already highlights that there are remarkable differences between what was asked for in March this year and where that money was approved to be spent, and, it appears, where the money has been spent. That is something about which we will, hopefully, get a bit more detail from the Premier and Treasurer when we get to consideration in detail.

In winding up my short address, we have the second highest Treasurer's advance request on record—a request that was received in March this year. It was a process that was not terribly edifying for the government and it certainly was not edifying for the Treasurer of the day or the government itself with the loss of \$210 million during that process. We are now seeing the arrogance of the government in facing an Auditor General who has highlighted error, deficiency, mistake and ignorance that has, time and again, been dismissed by the Premier when questions about that issue have been put to him during question time. When asked tonight, by me, about when the opposition can expect to see a breakdown of the spending over the past six months as authorised by the Treasurer's advance, he said, "Well, you might get it by the end of the week—actually, no; I can give it to you tomorrow." Members on this side of the house do not think that is acceptable; the Auditor General has highlighted in his report that he does not think that is acceptable; and it is certainly not the way that a modern, sophisticated government should conduct itself, with which I think members on both sides of the house would agree.

The Economic Audit Committee's final report, which the government has had for more than 12 months and which was announced and released with much fanfare, highlights these deficiencies, but that committee has gone very, very silent over the past 12 months. When can the opposition expect to see implementation of some of

these recommendations? I do not know. Some of the recommendations would be easy to implement. I have previously asked the Premier and Treasurer when he intends to bring the salaries of executives of the government trading enterprises within the remit of the Salaries and Allowances Tribunal, but we still do not know, even though a large number of them could be brought in right now if the Premier and Treasurer wanted to do so. However, we await, treading water, while the Economic Audit Committee's final report, "Putting the Public First: Partnering with the Community and Business to Deliver Outcomes", gathers dust on the benches of the Treasurer's office.

The problem is that we have a Premier and Treasurer who is without interest or care for the details—it is as simple as that. He was forced to pick up the Treasury portfolio in circumstances that he did not expect or like. We saw his performance as a minister in the former Court government; he regularly fought with the then Under Treasurer, Mr Langoulant, about the management of his portfolio and about the management of the finances of his portfolio; we saw that impressive performance—the costing of the canal—in the 2005 election; and now we are seeing a complete abrogation of interest in or responsibility for a coherent financial document that should be not just a budget, but the forward estimates.

The Economic Audit Committee report of this Premier and Treasurer highlights the importance of the forward estimates. Indeed, the very reforms recommended by the Economic Audit Committee report—those the former government and apparently the former Treasurer would like to adopt—depend on credible and reliable forward estimates. The Premier and Treasurer cannot get to his feet to on the one hand dismiss the forward estimates and to say on the other hand that this is a reforming government when the very reforms contained in this document depend on the forward estimates being reliable, credible and robust enough to stand up to scrutiny. Until the details of the expenses and commitments for Royal Perth Hospital, the Perth waterfront and the rectangular stadium are brought to book, that document will not be credible, the forward estimates will not be credible and there will certainly not be a state infrastructure strategy to guide the direction of government. Instead, a series of thought bubbles will come out of not the office of the Premier and Cabinet, but the Premier's office, as he goes about his daily activities wandering from here to there with different ideas not backed up by the business case rigour that modern government and modern financial management demand. Certainly, that is not unrealistic or pie in the sky; it is what the Auditor General has found, and it is what the Economic Audit Committee has recommended.

This is an opportunity. Although this money has been spent and although members opposite may not think these to be particularly important bills in light of the fact that we are dealing with money authorised in March and since spent, this is a significant amount of taxpayers' dollars. Tonight, we have heard the Premier and Treasurer say that he will provide the breakdown at a later date of where the money is going; initially, he said it will be provided at the end of the week, and now it will be tomorrow. That is not an acceptable way to manage the state's finances. Professor Shergold, Mr Langoulant et al of the Economic Audit Committee report found that, and discovered and recommended a way forward that the former Treasurer had some belief in and, I think, was interested in. I do not know whether the government has dropped the ball on reform. I am pretty sure that the government has dropped the ball when it comes to sensible financial management. Certainly, the eyes of the Auditor General, and the report that I just went through in some detail, and a previous report of October this year—namely, ICT procurement in health and training—show this to be a government that is not paying attention to those small details.

As I said at the beginning of my contribution, Mr Speaker, it all comes back to this: what is it that the government has been authorised to do by this Parliament—by us in here? It has been authorised, pursuant to section 27 of the Financial Management Act, to make expenditure outside the budget process to make payments in respect of extraordinary or unforeseen matters. If members look at the very short, lacking in detail schedules attached to both these bills, it will become apparent to many here—certainly the Minister for Mental Health will agree wholeheartedly with me—that the Treasurer's advance has simply become a tool to hide the poor budgeting practices of this government. It was \$1.2 billion last year and \$1.15 billion this year. One cannot have those sorts of increases in the Treasurer's advance simply because one is dealing with unforeseen or extraordinary matters. We see a government that is simply unable to manage its finances properly, that is unable to budget accordingly and that is now relying on the Treasurer's advance process to fill in the gaps it has created. The Department of Treasury and Finance's forward estimates that I place a fair bit of reliance upon show an economy returning to growth, and I fear that these poor financial management practices will fester away hidden by a strong stream of revenue and hidden by the fact that the government does not have to address the deficiencies that the Auditor General and, indeed, the Economic Audit Committee have highlighted. Deficiencies hidden by a strong revenue inflow will eventually be exposed when the economy returns to a more normal level of growth.

These bills are a very important measure of scrutiny for the government and an important process of accountability for the government. This Premier and Treasurer has been more averse to this scrutiny and accountability than I ever expected him to be before he became Premier. This was the man who wholeheartedly

beat his chest as a shining light of accountability in Australia. He was somebody who claimed he would uphold the strictest of financial management processes, and we now find him considerably wanting.

Mr P. Papalia: The invisible Treasurer.

Mr B.S. WYATT: Indeed—the invisible Treasurer. I think it very important that the Premier relieve himself of the Treasury portfolio as soon as Parliament rises because the Treasury portfolio is now held by a man who is distracted and who is not interested in the small stuff—in the detail. The Premier is not interested in implementing the reforms of his own Economic Audit Committee report, and is not interested in addressing the Auditor General's findings. That is why the Auditor General says, disturbingly, that 53 of those identified financial deficiencies have not been rectified from previous years, and why the more significant financial deficiencies have doubled during the past two years. These are significant issues. These are not esoteric issues. These are the key activities that the Treasurer of the day should be across and should be spending his days on. The Treasurer of the day should be asking the Department of Treasury and Finance to explain to him why it is that the Auditor General is telling him that 20 per cent of his financial officers are not qualified to do their job. Why is that? We do not have that. We have a Treasurer and Premier not interested in the Treasury portfolio. As a result, I dare say that during consideration in detail, when the opposition is finally given a copy of the document that breaks down the government spending under this second record Treasurer's advance authorisation, we will see a government simply filling in the holes it creates in the ordinary course of government activities. That is not what the Financial Management Act provides the government of the day with the authority to do. That is why section 27 of the Financial Management Act deals with extraordinary and unforeseen events to which money can be allocated. The government is ignoring that; the government is spending its money, as authorised in the Treasurer's advance, to simply prop up its general activities in the general government sector. This opposition will ensure during consideration in detail that the spending is exposed for what it is.

MR W.J. JOHNSTON (Cannington) [10.18 pm]: I rise to make some comments on the Appropriation (Consolidated Account) Capital 2009–10 (Supplementary) Bill 2010 and the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010. I start by pointing out what these bills do not contain.

For the people of Cannington, the bills do not contain a commitment to rail infrastructure in my electorate. In 2008, as a newly elected member of Parliament, I wrote to the Minister for Transport to ask him what he would do about the necessary upgrade of the Queens Park train station. I was very pleased when the Minister for Transport wrote back to me to say that the Queens Park train station would be upgraded in the first quarter of 2009. That was very pleasing. As you could imagine, Mr Speaker, as a new member of Parliament, I was very pleased to get a positive response the first time I lobbied government for expenditure on behalf of my constituents. Sadly, although I received a positive response in a letter, I did not get a positive response in action. The government still has not followed through on that commitment to upgrade the Queens Park train station. Interestingly enough, the government subsequently committed to doing that work in the first half of 2010, which would have been in the budget that we are considering, but that work did not happen then. The minister wrote back to me late this year to say that he had failed to properly manage the contracting of that project, and the project would be delayed further, at least into 2011. It will be interesting to see whether that project is actually delivered next year. We would think that the upgrading of one train station would not be so complex that a government could not handle it in two years, but apparently that is the case. The rail infrastructure in my electorate desperately needs some upgrades, some of them minor, but some of them more significant, which will need to be looked at over the long term. It will be interesting to see, if the Premier does not believe in forward estimates, whether the necessary work on these stations and level crossings will be included in budgets in the future, because that work is desperately needed for the people in my electorate. I am sure the member for Forrestfield and the member for Gosnells will make remarks on this. If the government can afford to spend money on Claremont Football Club and on providing facilities in the Premier's electorate, it is completely reasonable that the government can find some resources to spend on the people who live in my electorate and the electorates neighbouring mine. The fact that the government chooses —

Mr C.J. Barnett: You have never approached me on any project in your electorate since you have been here—never! You have not fired a shot for your constituents. You have never approached me on anything.

Mr W.J. JOHNSTON: I am sorry. I thought the Premier had ministers who are doing their job. I did not realise that I have to make a special appointment.

Mr C.J. Barnett: You are an absent member.

Mr W.J. JOHNSTON: That is an interesting thing to say. I have written to the Premier on a number of occasions about a number of issues, including—let me raise this with the Premier—making proper payments to people affected by Redress WA. I have written to the Premier four times, I believe it is, on Redress payments, and on every single occasion the Premier has written back rejecting that just payment to those people who were so badly abused by governments of this state. We have already looked at that matter in this chamber. I am

offended by the nonsense coming out of the Premier's mouth. What a disgrace! The Premier comes in here and talks about how I have not written to him on any issues. That is an issue that I have written to the Premier about. But what is his answer? The Premier's answer is to punish these people who were so badly abused by this state. The Premier delivered a cold shoulder and a turned back to those people. That is what he delivered. So do not lecture me, Premier! Do not lecture me, you pompous person! I am the only person in this chamber who has been proved to have told the truth, thanks to the inquiry launched by the Leader of the House! I am the honest man—the only one! I was not afraid of an investigation into my behaviour. The Premier is afraid of an investigation into his behaviour. The Premier is giving me plenty of opportunity to remind the people of this state what a failure he is and what a failure he will continue to be—a failure as Premier, a failure in life. It is a disgrace, an absolute disgrace, Premier. The Premier turned his back and gave a cold shoulder to people who were so badly affected. Was the Premier here when I talked about a constituent of mine who I demonstrated to this chamber has lost sight in one eye because of the failure of the state of Western Australia? But what does the Premier do to him? The Premier turns his back, gives him a cold shoulder and delivers him nothing.

This is a government that does not invest enough in schools in this state. Remember, when we were in government, we introduced a payment that went to parents of children in years 11 and 12. Do members know what happened? When members opposite came into government, that was one of the first things they abolished. This government abolished a payment that went to families at a time of need, when their kids were in years 11 or 12 or when they were starting an apprenticeship or doing a TAFE course. When their kids were aged 16 and 17, there was a payment paid by the state government to those parents. This government abolished that payment. The government should not tell me how it has helped out. I did not realise that the Premier's ministers are not capable of doing the job. They are all drawing a quarter of a million dollar salary. Apparently, it is not good enough that I write to the ministers asking them for action. I have to write to the Premier! Why does the government have cabinet ministers?

Dr A.D. Buti: It is a one-man show.

Mr W.J. JOHNSTON: The member for Armadale points out that it is a one-man show. I did not realise the 17 other ministers around the cabinet table who are drawing a salary were there only for colour and movement and not for action and delivery. The fact that they are incompetent and do not do their job, like the Minister for Police, is irrelevant because the government has Col. What a great idea. The government does not have to worry about cabinet procedures. I will not even make an appointment with the Premier; I will just rock up and the Premier can give me an extra staff member and deliver money for a railway station and for school payments to parents. The Premier can do all those things. Let us face it, when we look at the Appropriation (Consolidated Account) Recurrent 2009–10 (Supplementary) Bill 2010 —

Mr R.F. Johnson: You were single-handedly responsible for costing the Labor Party government.

Mr W.J. JOHNSTON: That is true, minister. It was not the Liberal Party. I agree with the minister 100 per cent that the Liberal Party did not win the election. We all know that. We all know it got in on a crooked deal. Do not worry; we know that the Liberal Party did not win.

It is interesting to note that \$34 126 000 was put into this bill to pay for voluntary redundancies. The Premier has made great play about voluntary redundancies because he goes on about how he wants an efficient public service. It is interesting to see that on 30 June 2009 the full-time equivalent cap for the public sector in Western Australia was 99 877. After the taxpayers of Western Australia had spent \$34 million in change on redundancies, we find that the cap on 30 June 2010 is 102 668. In other words, we spent \$34 million to make voluntary redundancies but all those public servants have been replaced and another 3 000 have been hired. That shows the lack of discipline of this government. We know what happens with the cap. It is not a cap. Normally, when we think of a cap, it is a limit above which we cannot go. Every time this government wants to hire another public servant, it raises the cap. It is a joke. It is not a cap to reduce the level of public servants. The government paid \$34 million for voluntary redundancies. As a former public servant, I know what happens in voluntary redundancy schemes. The people who take the voluntary redundancies are the ones who believe that they will make the best go of it in the private sector. Look at the telecommunications companies who have staff who were made voluntarily redundant by Telstra. They delivered technical knowledge to Telstra's competitors because Telstra was making people voluntarily redundant. It is the same here. Look at the tourism sector. The government has made people in that sector redundant and then hired them back as consultants, so there is no reduction. In fact, it is worse because those consultants —

Mr C.J. Barnett: Give us an example? Do you have an example in tourism? Name someone.

Mr W.J. JOHNSTON: I will not name an individual, Premier. Surely to God the Premier will not stoop to that level.

Mr C.J. Barnett: Give me a job distribution. You just made it up.

Mr W.J. JOHNSTON: When those people are hired back into Tourism Western Australia, Tourism WA counts the expenditure as promotional expenditure rather than employment-related expenditure. In tourism, the government has falsely inflated the amount of money spent on tourism promotion by hiring consultants who are the exact same people who were employed there previously. I will not name the person because that person needs to be protected. I know who the person is because the person has spoken to me.

Mr C.J. Barnett: He does not exist. He is Casper the ghost!

Mr W.J. JOHNSTON: As the only person in the chamber who has been proved to have told the truth, do not come that line with me. As I have already said to the Premier, I was happy to be investigated because I knew that I was telling the truth. The Premier is not prepared to be investigated because he knows where that investigation will lead. The fact that the Premier does not keep diary notes of important meetings can lead to only one conclusion. Many years ago, a former head of a commonwealth government department pointed out to me that as the FOI laws became more expansive, he recorded less and less. The Premier must have followed the same schooling. The fact that he keeps no dairy notes of important meetings demonstrates what believability he has. The Premier deliberately avoids keeping records that would allow freedom of information requests to deliver the truth about his behaviour. The Premier knows that, and the fact that he did not interject on me when I said those words demonstrates the truth of what I am saying.

Mr C.J. Barnett: The most truthful member in the chamber!

Mr W.J. JOHNSTON: That is right; I am. The Minister for Police has proved that. The Minister for Police demanded an investigation into my honesty and the answer was that I am an honest man.

Mr R.F. Johnson: I do not trust you and I do not believe you.

Mr W.J. JOHNSTON: I am an honest man, and the minister's inquiry demonstrated that. If the minister has any doubt, he should refer me to that committee again.

I point out that in the aggregates for the 2009–10 financial year, the expenses listed in the annual report were \$21 208 million. That is a \$2 511 million increase on the amount in the *Pre-election Financial Projections Statement*. That is a 13.5 per cent increase on the amount that the Labor Party planned to spend. That shows the budget discipline of this Treasurer. This is a Treasurer who spent 13.5 per cent more than the Labor Party was going to spend. Members should go back and read the *Hansard* record to see what the member for Cottesloe, the member for Hillarys and the member for Vasse used to say. They made personal and irrational commentary on the now Leader of the Opposition. The member for Belmont had to suffer personal abuse from those members, yet this government has spent 13.5 per cent more than the Labor government. This government's financial expenditure is 13.5 per cent more than the Labor Party was planning to spend. That is the budget discipline of the member for Cottesloe. He has no budget discipline at all.

This is an interesting point: the Treasurer can make staff redundant and increase the public sector at the same time. The Treasurer lets the best and brightest go into the private sector with a nice golden handshake, then hires them back as consultants, and still increases the size of the public sector. That is great budget management! The Treasurer can spend 13.5 per cent more on expenses than was planned by the Labor government, and that is the Treasurer's idea of good financial management.

Let me get to another issue, which is the shambles that is this Treasurer's authorisation process. There is no relationship between the documentation tabled by the Treasurer at the time of the debate on the Treasurer's Advance Authorisation Bill and the appropriation bills that are coming forward. There might be one or two departments such as Indigenous Affairs for which there is, but, basically, for most of the departments, there is no match. Why is it that the Treasurer is hiding the breakdown of the information on where that money is being spent? What is the reason for that? The Treasurer has the information available to him already, so why has he not provided that information to the people of Western Australia? What is it that causes the Treasurer to hide that information? What embarrassment would be caused to the Treasurer by giving proper information to the people of this state? The Treasurer does not answer that question. There is no interjection; no smart-arse remark now because the Treasurer knows —

Mr C.J. Barnett: I said that I would give it to your spokesman tomorrow morning.

Mr W.J. JOHNSTON: Yes, that is nice, but it should have been here when the bill was introduced, because the Treasurer knows that the information was available in his office on that day. The Treasurer should read the debates on these matters when we were in government. That information was provided to his side of Parliament well in advance of these debates. The fact that the Treasurer hides this information is just another example of the way he cannot manage the finances of this state. I feel sorry, quite frankly, for the member for Cottesloe. I do not think that he should have taken on the responsibility of Treasurer, because it is not a job he wants, it is not a job he is suited to, and it is not a job he is interested in. I feel sorry that he had to come along and take on this portfolio. We saw during budget estimates that the Treasurer is not comfortable doing these jobs. That is fine;

not everybody suits every job. However, I am afraid that the Treasurer is going to handball this portfolio, having had it handballed to him because of issues relating to the member for Vasse, probably to the Minister for Culture and the Arts, who is going to have to make sense of the mess that the Treasurer is leaving behind. The one thing that we know is that the Attorney General is not brave enough to take on the Treasury portfolio. The person who sees himself as the future Premier of this state is not prepared to do some hard work and step outside his comfort zone and be Treasurer. Again, silence falls on the chamber. There is only one choice in the cabinet for this portfolio, and that is the Minister for Culture and the Arts. He is the only person capable of doing the job. We would expect that the Attorney General would be prepared to do it but we know he is not. None of the other ministers is going to do it and none is prepared to. The Minister for Health has no chance of becoming Treasurer because the only thing he ever says in the health portfolio is, "This is what Jim McGinty did." He does not have any plans or an agenda of his own. He does not do anything other than say, "Why do you complain? Jim McGinty did it too."

[Member's time extended.]

Mr W.J. JOHNSTON: This is a government that needs to get itself together. It was one thing for the government to be elected in 2008 and say that it needed \$1.2 billion because it had its agenda and we had ours. It was a budget inherited from the Labor Party. The government did not change a single line item in our budget, a budget that it complained and whinged about and said was terrible. It just added \$1.2 billion. A competent government would have had a mini-budget, but let us leave that aside. Why can it not stick to its spending commitments in its own budget? The economic geniuses of the Liberal Party have spent \$1.15 billion. They turn up in this place and ask for nine per cent extra to spend because they could not keep themselves under control.

It is interesting that the budget for the asset investment program has fallen. In other words, this government is spending less on capital expenditure in this state and less and less on public investment. The other important aggregate is the question of debt. Debt is rising; the government is spending less on capital but it has increased debt. It is a bizarre situation. It would be nice if the Premier and Treasurer was prepared to provide information to the people of Western Australia, but he comes into this chamber and chooses not to do that. That is the way this government chooses to work. It has the opportunity through this process to inform the people of this state about what it is doing with the money that has been raised through the gouging of fees from the rising electricity prices paid by people living in my electorate. On that topic, I had an interesting conversation with a pensioner from the suburb of Langford. She explained to me how she had to turn the heater off during winter and cover her legs with a blanket because she could not afford to pay the increased power costs that are subsidising this government's poor economic management. It would be nice if the government delivered for the people of the state, but it is not doing that.

It is even worse when we look at the con job that the government has delivered by way of tax cuts. It promised the people a \$250 million tax cut but instead it increased taxes in this state. Taxes in this state have gone up. Not only that, but also it promised a \$100 million tax cut to the business community in Western Australia. I had a joke with the member for West Swan about this. How much does a \$100 million tax cut cost? It cost the Premier of this state \$76 million to deliver a \$100 million tax. It was a con the day the press release came out. It was a con when it was taken from the people of this state. Despite the government promising to cut taxes by \$250 million, it has increased taxes. The Liberal Party used to complain about the Labor Party increasing taxes. I do not have a problem with governments setting an appropriate level of taxation; I have a problem with the Liberal lie that the Liberal Party will have lower taxes. It was a Liberal lie when it was said before the election and it continues to be a Liberal lie today because the Liberal Party is increasing taxes. The tax burden on small businesses in this state is increasing under this government. A \$100 million tax cut cost it \$76 million. It is a con. It was a con then and it is a con today. Again, silence falls on the other side of the chamber. There have been no promises for and no commitment to further tax cuts. Because the rivers of gold are again falling from China into the budget of the Premier, there will be some tax cuts and stuff at the next budget.

Let us make it clear: those tax cuts will be paid for by the working people of the electorates of Cannington, Willagee, Armadale, West Swan and Swan Hills in the increased costs of living delivered by this Premier. This Premier has increased costs by \$800 for the average family in this state, plus the It Pays to Learn allowance has been taken away from the parents of 16 and 17-year-old kids, plus subsidies for school fees for public schools have been removed. These are all decisions of this government and it is delivering pain and agony to people in the electorates that not only I and the people on this side of the house represent, but also many of the people on the other side of the chamber represent. We have surveyed the constituents in those electorates and we know the response they are giving, even in suburbs such as Booragoon in the Attorney General's electorate. I can tell the Attorney General of the negative response that his government's increases in fees and charges have delivered in the suburb of Booragoon, just as one example.

Mr C.C. Porter: I can tell the member for Cannington that Booragoon is not in my electorate.

Mr W.J. JOHNSTON: That is just one example of the things that are occurring in this state.

It is great that the government likes to make headlines. I will just point out a couple more headlines that have been raised by the government. One of those is the question of cutting —

Ms R. Saffioti: So the office isn't in your electorate?

Mr C.C. Porter: It is about 10 minutes out.

The SPEAKER: Members! Attorney General and member for West Swan, I am sure that you are quite happy to have a conversation with each other; I prefer to listen to the member for Cannington.

Mr W.J. JOHNSTON: It is interesting that this government has more spin than Mark Webber on a slippery track! It is delivering more media releases without substance. I have been through this in detail previously, but one of those that interest me is the question of the teachers' pay rise. The teachers' pay rise cost this government \$3.5 million. That is the answer that was provided to me by the then Treasurer, the member for Vasse.

Mr C.J. Barnett: Is that \$3.5 million?

Mr W.J. JOHNSTON: That is right. That is how much extra —

Mr C.J. Barnett: So six per cent for teachers costs \$3.5 million!

Mr W.J. JOHNSTON: That is how much extra went into the budget.

Mr C.J. Barnett: What a genius!

Mr W.J. JOHNSTON: That is exactly the answer that had been given to me by the member for Vasse during the process of the Treasurer's advance authorisation. That is how much extra was allocated to pay the teachers' pay rise. It is one of the big cons—the idea that this government was somehow generous to teachers. The money was absorbed into the budget of the department. Who paid the pay rise for schoolteachers? It was paid with cuts in teacher aides and other services provided by schools. That is where —

Dr E. Constable: That is rubbish!

Mr W.J. JOHNSTON: That is exactly the answer that was given to me by the Treasurer in this chamber; that is exactly what he told me. He said that it cost \$3.5 million. That is the answer he gave me in this chamber.

Dr E. Constable: Rubbish!

Mr W.J. JOHNSTON: If it is rubbish, why did the Treasurer give me that answer?

Mr R.F. Johnson: Show us it!

Mr W.J. JOHNSTON: Read *Hansard* you fool!

Anyway, let us get on to another issue of spinning the wheels. Government members were going on about cutting down on committees. What a very interesting thing! I asked every minister to outline how many committees had actually been cut. They were able to list 1 324 committees. It is interesting that 63 of those are awaiting legislative change, including abolishing the Racing and Wagering WA committee. But not only that, this is the best one: 477 committees were wished away! Four hundred and seventy-seven committees did not cease to exist; they were defined away. Therefore, the Premier can proudly say, "I cut the number of committees in half" when in fact 477 committees were wished away! They were not abolished; they still exist and they are still doing exactly the same thing, but they were all just wished away.

Several members interjected.

The SPEAKER: Members from both sides of this place might wish to compete and interject more loudly than each other, but I repeat my former comments: I just want to hear from the member for Cannington.

Mr W.J. JOHNSTON: Abracadabra! Tabled paper 2104 lists it in great detail. There were 477 committees that ceased to exist in the Premier's mind simply because he decided that they do not exist. It is not that they do not exist; he just decided that they did not exist. If we wanted to see spin in action, this is the definition of spin. Tabled paper 2104 lists 477 committees that exist, except in the mind of the Premier, so that he can put out a media release saying that he has only 628 committees, while those lousy Labor people had 1 300 committees. However, 477 of those committees still exist outside the Premier's mind. It is a case of the emperor's new clothes; now we have the Premier's committee count. The Premier cannot count beyond 628; that is how high he can get. He cannot count the other 477; he just cannot get there. He can get to only 628. What about the other 477? Let us not worry about them.

It is interesting to look at the committees that he intends to abolish. There is the Medical Costs Committee for WorkCover WA, and the Country Housing Authority—has cabinet agreed to that? There is also the Burswood Park Board, Racing and Wagering Western Australia and the Western Australian Greyhound Racing Association. They are all going to be abolished. Who is going to do the work? Will the work be transferred to other committees? It is interesting, because —

Ms R. Saffioti: The dogs will do it themselves.

Mr W.J. JOHNSTON: Yes, come to Cannington! They will be looking forward to that, I am sure! It will self-regulate.

It is also interesting that 26 committees of the Department of Health will be abolished by legislative change, but none of them is included on the tabled document that lists the committees to be abolished. Part of the answer was that cabinet discussions were still ongoing. I refer to tabled paper 2105, which is apparently a list that, due to ongoing discussions, is not a total summary of all boards and committees requiring legislative change. Ongoing discussions! The Minister for Health has been told by the Department of Treasury and Finance to abolish 26 committees—so which committees are they? Why will the Minister for Health not agree that those 26 committees should be abolished? What is it that he wants to save amongst those committees? Why is none of that public information? Why will the Minister for Health not be honest with the people of Western Australia and come forward and tell us the truth, instead of hiding behind this document? Will those 26 committees be included on the list? Will the 477 committees the Premier cannot count become 503? Will they just be added to the definition list?

This is a ridiculous situation and it is typical of a government that is more interested in press releases than delivery. This is a government that says it is about lowering taxes, when it increases taxes. It says that it is interested in lower expenditure, when it has higher expenditure. It says that it is interested in the delivery of capital works, when it is cutting the capital budget. It says that it is interested in delivering for the people of this state, when it does no such thing. What is more, it has turned its back on the people who have been affected by Redress WA. Not only that, it has increased utility costs for every ordinary person in this state by \$800; that is \$800 that they would not have to pay were it not for the Premier's personal decisions on these issues. There is more to come.

Debate adjourned, on motion by **Mr R.F. Johnson (Leader of the House)**.

House adjourned at 10.49 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

PORT HEDLAND — EMERGENCY MEDICAL FACILITIES

4136. Mr T.G. Stephens to the Minister for Health

- (1) Is the Minister aware of the call by the local Port Hedland community urgently seeking an emergency medical facility to be available for the large local community in the old part of town once the hospital is relocated to South Hedland?
- (2) Does the Minister accept that the rapidly growing population of Port Hedland, with a population well in excess of 5,000 people and rising, should not be left with the task of having to drive 19.5 kilometres to access all health and medical facilities in South Hedland?
- (3) Will the Minister take the necessary steps to ensure that the Port Hedland community has access to a medical health clinic to meet their needs once the old hospital is closed; and
 - (a) if not, why not?

Dr K.D. HAMES replied:

- (1) The WA Country Health Service (WACHS)-Pilbara has received one email from the Mayor of the Town of Port Hedland, Kelly Howlett, on behalf of one community member asking about ambulance services in Port Hedland. WACHS-Pilbara is not aware of any calls by the local community seeking an emergency medical facility in the old part of the Port Hedland town. Neither WACHS nor the Project Working Group established over four years ago to provide project direction and a forum for communication to all stakeholders in the development of the Hedland Health Campus project, has received any representations about this matter.
- (2) Not all health and medical services are moving to South Hedland. The established general practice (GP) practice in the old part of the Port Hedland town will continue to operate from its Edgar Street premises. Services such as community and child health services and 'hospital in the home' type services will continue to be provided as they always have in Port Hedland.
- (3) WACHS-Pilbara is currently preparing an application for consideration by the Town of Port Hedland's Planning Department to have a Department of Health owned house in Athol Street Port Hedland converted for use as a satellite community health centre. The site will also act as a base for maintaining community and child health services and provide 'hospital in the home' type services. Anyone requiring medical officer intervention will be referred to their GP or to the new Health Campus at South Hedland. The Athol Street site also has the potential to be used as a first aid post in the event of an emergency.
 - (a) Not applicable.

SOLID KIDS, SOLID SCHOOLS, SOLID FAMILIES PROJECT

4137. Mr R.H. Cook to the Minister for Education

I refer to the *Solid Kids, Solid Schools, Solid Families Project* (2006–2009) which tried to fill an information gap about Aboriginal experiences, causes and effects of bullying at school, involving a dozen Midwest and Murchison schools as well as their staff, students, parents and elders, and ask:

- (a) what was the total cost of this project and was it funded exclusively by the Department for Education or were other agencies involved; and
 - (i) if other agencies were involved, please provide a breakdown of the contribution by each agency;
- (b) can the Minister provide a breakdown of the cost of this project by school, per annum;
- (c) was the project evaluated or reviewed following its completion in 2009; and
 - (i) if not, why not; and
 - (ii) if so, can the Minister reveal what the findings were of the review or evaluation;
- (d) did the review or evaluation recommend continuing the program;
- (e) did the review or evaluation recommend extending the program to other areas outside of the Midwest-Murchison region; and
- (f) will the Minister provide me with a copy of the evaluation and/or review of the program?

Dr E. CONSTABLE replied:

- (a)-(f) The project was funded by Healthway. It would therefore be necessary for the Member to direct this Question on Notice to the Minister responsible for Healthway.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4139. Mr J.N. Hyde to the Deputy Premier; Minister for Health; Indigenous Affairs

- (1) What TV or radio advertising is the Deputy Premier's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
 - (a) if none, why not; and will the Deputy Premier change that?

Dr K.D. HAMES replied:

Department of Health; Department of Indigenous Affairs; Nurses and Midwives Board of Western Australia, Office of Health Review and Healthway.

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Department of Health and Office of Health Review — Buy Local Policy.
Department of Indigenous Affairs; Nurses and Midwives Board of Western Australia and Healthway — Nil.
 - (a) The Department of Indigenous Affairs has no requirement for using Western Australian actors in any campaign or non-campaign advertising.
Nurses and Midwives Board of Western Australia is a statutory authority.
Healthway does not conduct, or directly fund, TV or radio advertising.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4140. Mr J.N. Hyde to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
 - (a) if none, why not; and will the Minister change that?

Dr K.D. HAMES replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

Department of Mines and Petroleum

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Not applicable

Minerals and Energy Research Institute of Western Australia

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Not applicable

Department of Fisheries

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Not applicable

Western Australian Electoral Commission

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The Western Australian Electoral Commission's future advertising contracts will stipulate local actors under 'buy local' policy.
- (a) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4142. Mr J.N. Hyde to the Minister for Education; Tourism

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
- (a) if none, why not; and will the Minister change that?

Dr E. CONSTABLE replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6m on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2m, or, 63.3% or \$15.2m more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for

2009-2010 by the Liberal National Government was \$19.9m. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

Department of Education

- (6) None.
- (a) The Department of Education adheres to State Supply Commission procurement policies, including Buy Local Policy. The decision to change Government policy would need to be made with agreement of all Ministers.

Country High School Hostels Authority

- (6) None.
- (a) The Country High School Hostels Authority adheres to State Supply Commission procurement policies, including Buy Local Policy. The decision to change Government policy would need to be made with agreement of all Ministers.

Public Education Endowment Trust

- (6) None.

- (a) The Public Education Endowment Trust adheres to State Supply Commission procurement policies, including Buy Local Policy. The decision to change Government policy would need to be made with agreement of all Ministers.

Department of Education Services

- (6) None.
- (a) The Department of Education Services, since its establishment in 1996, has had no need for TV or radio advertising, and is unlikely to in the future.

Curriculum Council

- (6) Not applicable to the Curriculum Council.

Rottneest Island Authority

- (6) The RIA does not have a policy to use Western Australian actors in advertisements, however, it is open to using actors who most effectively convey the intended advertising message.

Tourism WA

- (6) Tourism Western Australia has a policy to use actors who most effectively convey the intended advertising message. There is no intention to change the policy.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4143. Mr J.N. Hyde to the Minister representing the Minister for Transport; Disability Services

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
- (a) if none, why not; and will the Minister change that?

Mr M.J. COWPER replied:

Public Transport Authority

It is worth noting that in the financial year 2007?2008, the Labor Government spent \$36.6 million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2 million, or, 63.3% or \$15.2 million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009?2010 by the Liberal National Government was \$19.9 million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The agency follows the Western Australian Government's 'Buy Local' policies and actively seeks to procure goods and services from Western Australian suppliers as a priority.
- (a) Not applicable.

Main Roads

It is worth noting that in the financial year 2007?2008, the Labor Government spent \$36.6 million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2 million, or, 63.3% or \$15.2 million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009?2010 by the Liberal National Government was \$19.9 million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

- (6) The agency follows the Western Australian Government's 'Buy Local' policies and actively seeks to procure goods and services from Western Australian suppliers as a priority.
- (a) Not applicable.

Disability Services Commission

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6 million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2 million, or, 63.3% or \$15.2 million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9 million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The agency follows the Western Australian Government's 'Buy Local' policies and actively seeks to procure goods and services from Western Australian suppliers as a priority.
- (a) Not applicable.

Department of Transport

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6 million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2 million, or, 63.3% or \$15.2 million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9 million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The agency follows the Western Australian Government's 'Buy Local' policies and actively seeks to procure goods and services from Western Australian suppliers as a priority.
- (a) Not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4144. Mr J.N. Hyde to the Minister for Police; Emergency Services; Road Safety

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
- (a) if none, why not; and will the Minister change that?

Mr R.F. JOHNSON replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

All Agencies —

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

FESA

- (6) Local voice over announcers/actors is to be used.
- (a) Not applicable

Office of Road Safety

- (6) The Office of Road Safety is administratively supported as part of Main Roads WA and as such the response will be included in the MRWA response under the Minister for Transport.

WA Police

- (6) There is currently no policy.
- (a) A policy is not required at this stage as preference for actors or voice overs is given to WA talent.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4146. Mr J.N. Hyde to the Minister for Planning, Culture and the Arts

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
- (a) if none, why not; and will the Minister change that?

Mr J.H.D. DAY replied:

Armadale Redevelopment Authority; East Perth Redevelopment; Subiaco Redevelopment Authority; Midland Redevelopment Authority; West Australian Museum; State Records Office; State Library of Western Australia; Perth Theatre Trust; ScreenWest advises

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Not Applicable

Department of Planning

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) Bowtell Clarke & Yole has a policy to source local (WA) talent for its commercials. Further, the Department of Planning always specifies the use of WA talent (subject, of course, to availability) in any radio or television campaign it may commission.

Department of Culture and the Arts

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

- (6) None
- (a) Infrequent radio advertising (as noted above) is routinely recorded by station staff.

Art Gallery of Western Australia

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The Art Gallery of WA endeavours to employ the services of Western Australians .

The Bell Tower

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The Bell Tower always uses local voiceover talent for its radio production.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4148. Mr J.N. Hyde to the Attorney General; Minister for Corrective Services

- (1) What TV or radio advertising is the Attorney General's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
- (a) if none, why not; and will the Attorney General change that?

Mr C.C. PORTER replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.
- (6) The Department conforms with the State Supply Commission's Buy Local Policy.
- (a) Not applicable

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4151. Mr J.N. Hyde to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
- (2) What is the cost of the advertising?
- (3) Who are the actors or voice-over actors in the advertisements?
- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?

- (6) What policy does the agency have for using Western Australian actors in advertisements; and
 (a) if none, why not; and will the Minister change that?

Mr G.M. CASTRILLI replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

- (6) None

- (a) No, the agencies within my portfolio are not undertaking paid TV or radio advertising.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4152. Mr J.N. Hyde to the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
 (2) What is the cost of the advertising?
 (3) Who are the actors or voice-over actors in the advertisements?
 (4) Where is their home state?
 (5) How much of the advertising cost was their fee?
 (6) What policy does the agency have for using Western Australian actors in advertisements; and
 (a) if none, why not; and will the Minister change that?

Mr D.T. REDMAN replied:

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

Department of Agriculture and Food

- (6) Government departments and agencies engage their creative advertising agencies through competitive tendering process in Accordance with State Supply Commission procurement policies, including the Local Content policy.
 (a) Not applicable

Forest Products Commission

- (6) Not applicable
 (a) The Forest Products Commission has not conducted nor does it intend to conduct any TV or radio advertising. Therefore the question with respect to a policy for using Western Australian actors in any advertisements is not applicable.

GOVERNMENT DEPARTMENTS AND AGENCIES — TV AND RADIO ADVERTISING

4154. Mr J.N. Hyde to the Minister for Commerce; Science and Innovation; Housing; Minister Assisting the Treasurer

- (1) What TV or radio advertising is the Minister's agency running or planning to run?
 (2) What is the cost of the advertising?
 (3) Who are the actors or voice-over actors in the advertisements?

- (4) Where is their home state?
- (5) How much of the advertising cost was their fee?
- (6) What policy does the agency have for using Western Australian actors in advertisements; and
 - (a) if none, why not; and will the Minister change that?

Mr W.R. MARMION replied:

All Agencies under the Ministers Control (1)-(5)

It is worth noting that in the financial year 2007-2008, the Labor Government spent \$36.6million on Government advertising. In today's money, allowing for a conservative 3.5% annual increase in media costs, that would equate to \$39.2million, or, 63.3% or \$15.2million more than the projected outcome for the current financial year.

Government Department and Agency expenditure on advertising placement for 2009-2010 by the Liberal National Government was \$19.9million. This reflects the government's focus on delivering projects and services rather than propaganda.

- (1)-(5) Advertising expenditure is published in annual reports in accordance with S175ZE of the Electoral Act 1907.

Commerce

- (6) The Department of Commerce supports and implements the State Government's Buy Local policy.
 - (a) Not applicable.

SBDC

- (6) SBDC's policy is to source local talent for all its advertising wherever possible.
 - (a) Not applicable.

WA Industrial Relations Commission

- (6) As the Agency has no advertising this is not applicable.

WorkCover WA

- (6) As the Agency has no advertising this is not applicable.

ChemCentre

- (6) As the Agency has no advertising this is not applicable.

Housing

- (6) The Department of Housing does not have a formal policy covering actors in commercials, however talent residing in WA is preferred.
 - (a) The Department does not believe a formal policy is required due to the infrequent nature of the issue and the existing informal policy of preference being given to talent residing in WA.

ONE MOVEMENT FOR MUSIC FESTIVAL 2010 — HEALTHWAY SPONSORSHIP

4155. Mr J.N. Hyde to the Minister for Health

In relation to Healthway sponsorship of the 2010 One Movement festival events, I ask:

- (a) how many free events were sponsored by Healthway, where were each of these events held and on what dates and times; and
- (b) how many paid entry events were sponsored by Healthway, where were each of these events held, and on what dates and times?

Dr K.D. HAMES replied:

- (a)-(b) Nil.

WELCOME WALLS BOOK — *WE CAME BY SEA*

4156. Mr J.N. Hyde to the Minister for Culture and the Arts

- (1) What are the total costs of writing, publishing and printing the new Welcome Walls book, 'We Came By Sea'?
- (2) How many are being printed?
- (3) What is the expected income from sales of the book?

Mr J.H.D. DAY replied:

- (1) \$25 620 which is being covered by the WA Museum, not through Welcome Walls registration fees. This book will be available for purchase through the WA Museum shops and through mail order and pre-publication offer.
We Came By Sea should not be confused with the Welcome Walls presentation booklet which is being provided free to each final stage Welcome Wall registrant.
- (2) The initial print run for *We Came by Sea* is 2,000 copies.
- (3) Dependent on retail sales, the Museum is anticipating an income of over \$50 000.

ONE MOVEMENT FOR MUSIC FESTIVAL 2010 — SPONSORSHIP

4158. Mr J.N. Hyde to the Minister for Health

In relation to banners at One Movement festival and fringe events stating 'Smoke Free WA' and 'sponsored by Healthway', I ask:

- (a) why was Smoke Free WA and Healthway signage absent from One Movement websites;
- (b) what was the total amount of all sponsorship;
- (c) what guarantees were given regarding the smokefree conduct of staff and patrons at events;
- (d) why was Healthway sponsoring an exclusive function only open to private company Sunset Events and One Movement officials at the Belgian Cafe on 9 October 2010; and
- (e) will the Minister provide the final signed sponsorship agreement with One Movement; and
 - (i) if not, why not?

Dr K.D. HAMES replied:

- (a) Healthway did not sponsor any activities or events associated with the 2010 One Movement festival and the promoter was therefore under no obligation to promote the 'Smoke Free WA' message or acknowledge Healthway's support.

Healthway has been advised that banners promoting 'Smoke Free WA' and carrying the Healthway logo were on display at some events associated with the 2010 Festival. The appearance of the Healthway logo at events associated with the 2010 Festival was not appropriate however this appears to have come about as the banners in this instance were co-branded. Healthway will be discussing this issue with One Movement management.

- (b)-(e) Not applicable.

TOURISM WESTERN AUSTRALIA — CHINESE MARKET ADVERTISING

4159. Mr J.N. Hyde to the Minister for Tourism

What media and campaigns did Tourism Western Australia place in Chinese media overseas to entice Chinese couples marrying on 10 October 2010 (10.10.10) to consider coming to Perth rather than Brisbane, Sydney or Melbourne?

Dr E. CONSTABLE replied:

There were no specific media and campaigns placed in Chinese media for this specific purpose.

PEGGY GUGGENHEIM EXHIBITION — MARKETING

4160. Mr J.N. Hyde to the Minister for Tourism

Given the Minister's spruiking of links with Singapore Airlines and the unique selling point of the current Peggy Guggenheim exhibition only appearing in Perth in the Asia-Pacific, I ask:

- (a) why was there no advertorial or editorial on Peggy Guggenheim in the October in-flight magazine on Singapore Airlines and Silk Air;
- (b) what overseas media have been invited to Perth by Eventscorp/Tourism Western Australia to attend and report on Peggy Guggenheim;
- (c) what overseas marketing has been undertaken specifically on Peggy Guggenheim and Perth; and
- (d) given the alleged tie-up between Jetstar to Bali and Western Australian Tourism, what editorial on Peggy Guggenheim in Perth appeared in Indonesian media or in-flight on Jetstar flights from Indonesia to Western Australia?

Dr E. CONSTABLE replied:

- (a) Tourism Western Australia discussed having an article on the *Peggy Guggenheim: A Collection in Venice* exhibition written for Singapore Airlines' in-flight magazine with its editor. There are plans to run a number of articles on Western Australia in forthcoming issues. Please note that Silk Air promotes events in the destinations it flies to and Perth is not one of them.
- (b) Tourism Western Australia has invited five media from Singapore, Malaysia and Korea to visit Perth in November as part of an arts and cultural familiarisation itinerary which will be used to promote the exhibition. Additionally, Tourism Western Australia has invited five key national media to visit Perth to experience the exhibition.
- (c) The Art Gallery of WA, as event organiser, placed advertisements in The Straits Times and The Sunday Times in Singapore in November, Qantas' in-flight magazine in November, and the in-flight magazine of Strategic Airlines (which flies to Bali) in the September and December issues. Information regarding the exhibition is also displayed on two Singaporean websites — Trip Advisor and Travel Deals.
- (d) The Member is mistaken about any alleged tie-up and it is unclear what he is asking. Tourism Western Australia works with Jetstar exclusively on domestic routes into Perth.

GENETICALLY MODIFIED CROPS — SEEDS AND WEEDS TESTING

4161. Mr M.P. Murray to the Minister for Agriculture and Food

As harvest time approaches, contamination avoidance and spillage during harvest and transport are a concern, as is the process for the inevitable cleanup. I ask:

- (a) have the shires received training on how to test for patented Genetically Modified (GM) seeds and GM weeds and how to treat them;
- (b) have the shires been informed where the GM canola silos are and the transport routes to ports;
- (c) have the shires been informed of the Co-Operative Bulk Handling (CBH) Group receiver points for GM canola and consequent transport routes from farms; and
- (d) do the shires know if any of the GM crops in the shire are being used for livestock feed, and what traceability and monitoring is in place for the GM feed and the GM-fed animals?

Mr D.T. REDMAN replied:

Department of Agriculture and Food

- (a) No. The Department of Agriculture and Food fact sheet "GM crops and local government" provides specific advice on the control of roadside volunteer canola, both GM and non-GM. This fact sheet is available on the Department's website and to draw the fact sheet to the attention of Local Government the July 2009 WALGA Eco-News publication included an article on the factsheet.
- (b) During harvest GM canola may be stored in silos on grower properties or in silos at CBH receipt points. The identity of the GM canola growers is not publicly available so Shire Councils may not be aware of locations of silos of GM canola on grower properties. Cooperative Bulk Handling have published the 2010-11 GM canola receipt sites on the CBH website and so Shire Councils have the opportunity to find out about location of CBH silos and thereby infer transport routes of GM canola from CBH silos to ports.
- (c) Answered in (b).
- (d) Shire Councils may have local knowledge of whether GM canola crops are being used for livestock feed. There are traceability requirements for GM canola hay as GM canola growers must advise Monsanto if their crop is not harvested for grain using the "Roundup Ready canola not taken to harvest" form. The growers must also advise if the crop was cut for hay / silage, whether the hay was sold or used on farm. If the hay was sold the grower must confirm an appropriate declaration has been provided to the purchaser. In 2000, Food Standards Australia New Zealand concluded Roundup Ready canola was as safe as conventional canola and so there are no specific traceability requirements for GM canola fed animals.

ALBANY DISTRICT EDUCATION OFFICE — VISITS BY DIRECTOR-GENERAL

4163. Ms M.M. Quirk to the Minister for Education

Could the Minister please advise:

- (a) on how many occasions within the last twelve months Director-General O'Neill visited the District Office of the Department based in Albany;

- (b) the dates of those visits and their duration;
- (c) the dates and duration of visits to other regional District Offices by Ms O'Neill in the last twelve months; and
- (d) the reasons/purposes of the Director-General's personal attendance at these visits to the Great Southern and Albany?

Dr E. CONSTABLE replied:

I am advised by the Director General, Department of Education, as follows:

- (a) One incidental visit to the district office during a schedule of activities in the district on 26 August 2010 for administrative purposes.
- (b) 26 August 2010 (30 minutes).
- (c) The Director General has visited schools in the following country regions in the past twelve months. These did not include scheduled visits to district offices as part of the itinerary. Incidental visits to the district office for administrative purposes may have occurred.

Bunbury and Warren Blackwood districts — 16 December 2009 (1 day)

Pilbara district — 18-19 February (2 days)

Mid West district — 19-20 May 2010 (2 days)

Albany district — 24 June 2020 (0.5 days)

Narrogin district — 24 June 2010 (0.5 days)

Albany District — 26-27 August 2020 (2 days)

The Director General has also made visits to metropolitan districts in this twelve month period.

- (d) 24 June 2010: In the Director General's role as Acting Chief Executive Officer of the Country High School Hostels Authority, she attended the formal closure of the Katanning Residential College and conducted school visits to the following schools: Katanning Primary School, Braeside Primary School; Katanning Senior High School; Tambellup Primary School; and Kendenup Primary School.

26-27 August 2010: The Director General visited the Albany district to give a speech to all principals and deputy principals on the directions of the Department and conducted school visits to the following schools: Flinders Park Primary School; Frankland River Primary School; Spencer Park Education Support Centre; Spencer Park Primary School; and Mount Barker Community College.

DEPARTMENT OF HOUSING — UNPAID RENT RECOVERY

4166. Mr M. McGowan to the Minister for Housing

- (1) How many court actions were commenced for the recovery of Department of Housing clients' unpaid rents for the periods 2007–2008, 2008–2009 and 2009–2010?
- (2) How many court actions for the recovery of unpaid client rents were initiated between 1 July 2009 and 12 October 2010?

Mr W.R. MARMION replied:

The Department of Housing advises:

- (1) The Department does not categorize court orders by type however total number of court actions for the periods is as follows:
 - 2007-2008 — 633
 - 2008-2009 — 528
 - 2009-2010 — 511
- (2) The Department does not categorize court orders by type, however court actions for 1 July 2009 to 30 September 2010 total 604. (Please note that figures are collated for the end of each month, hence figures are as at 30 September 2010).

PERTH AIR QUALITY MANAGEMENT PLAN — REVIEW

4167. Ms A.S. Carles to the Minister representing the Minister for Environment

In relation to the Perth Air Quality Management Plan Review, I ask:

- (a) will the Minister confirm that the Perth Air Quality Management Plan Review has been completed; and
 - (i) if not, why not; and

- (ii) if yes, will the Minister table the Perth Air Quality Management Plan Review report;
- (b) can the Minister describe what actions are being taken by the Department of Environment and Conservation to reduce the air quality impacts of industrial emissions;
- (c) will the Minister detail which industries are currently having the greatest impact on air quality in the Perth Metropolitan area; and
 - (i) if not, why not; and
- (d) has air monitoring by the Department of Environment and Conservation, in the Perth metropolitan area, revealed any breaches of the Ambient Air Quality National Environment Protection Measure over the last three years; and
 - (i) if yes, please provide details?

Dr G.G. JACOBS replied:

The Minister for Environment has provided the following response.

- (a) Yes.
 - (i) Not applicable.
 - (ii) The draft Perth Air Quality Management Plan Review report is available on the Environmental Protection Authority's (EPA) website at www.epa.wa.gov.au. The final review report and the Government's response will be released publicly once the latter has been finalised.
- (b) The Department of Environment and Conservation (DEC) regulates industrial emissions from prescribed premises under Part V of the Environmental Protection Act 1986. DEC monitors and audits the compliance of prescribed premises with works approval and licence conditions, and takes enforcement action as appropriate in accordance with its Enforcement and Prosecution Policy 2008. DEC also provides technical advice to the EPA as required to support its functions under Part IV of the Act.
- (c) As outlined in the National Environment Protection (National Pollutant Inventory) Measure, the following industry classification groupings contribute significantly to Perth metropolitan emissions
 - Petroleum and Coal Product Manufacturing;
 - Electricity Generation;
 - Cement and Lime Manufacturing;
 - Plaster and Concrete Product Manufacturing;
 - Basic Non-Ferrous Metal Manufacturing; and
 - Ceramic Product Manufacturing
 - (i) Not applicable.
- (d) Yes.
 - (i) DEC produces an annual air monitoring report to comply with the requirements of the National Environment Protection (Ambient Air Quality) Measure, which details when standards have been exceeded at a DEC monitoring station. The 2008-09 report is available from the Environment Protection and Heritage Council website at www.ephc.gov.au and on DEC's website at www.dec.wa.gov.au.

ONE MOVEMENT FOR MUSIC FESTIVAL 2010 — TICKET ISSUE

4174. Mr J.N. Hyde to the Minister for Tourism

In relation to the 2010 One Movement events, I ask:

- (a) how many paid Media tickets were issued;
- (b) how many complimentary Media tickets were issued;
- (c) how many paid Artist Friday tickets were issued;
- (d) how many complimentary Artist Friday tickets were issued;
- (e) how many paid Artist Saturday tickets were issued; and
- (f) how many complimentary Artist Saturday tickets were issued?

Dr E. CONSTABLE replied:

It is standard practice for event holders to issue complimentary tickets to the media, artists performing at events and certain touring party members.

- (a) Nil
- (b) 40
- (c) Nil
- (d) 91
- (e) Nil
- (f) 208

PERTH GIRLS SCHOOL SITE — CEMETERIES INFORMATION

4204. Mr J.N. Hyde to the Minister for Police

In relation to the heritage-listed Perth Girls School buildings and site in East Perth currently occupied by Police, I ask:

- (a) what information regarding burial sites and bodies associated with previous cemeteries in the area is known to the Minister, his department or agencies; and
 - (i) how is this impacting on efforts by Government to dispose of the site and buildings?

Dr G.G. JACOBS replied:

- (a) The Old Girls' School buildings in Wellington Street, East Perth (Lot 774) and associated vehicle inspection facility and car park in Bronte / Wickham Streets, East Perth (Lot 775) form Reserve 50646. The Reserve is subject to a Management Order in the name of the Minister for Police and Emergency Services.

The Reserve has been listed for disposal for some years now, although it remains occupied by Western Australia (WA) Police.

LandCorp are managing the disposal of Reserve 50646 on behalf of WA Police.

Lot 775 has presented issues in regard to disposal as the land was formerly part of the adjacent East Perth Cemetery, comprising part of the Presbyterian and Chinese cemeteries.

The National Trust expressed an interest in acquiring Reserve 50646.

In late September 2010 additional Ground Penetrating Radar (GPR) testing was undertaken to determine the extent of graves located on the upper portion of Lot 775 (vehicle inspection facility). Results are still being analysed.

Following a review of the results of the testing a decision will be made in regard to the viability of development of the upper portion of Lot 775 and the possible excision of the lower portion in favour of the Heritage Council of WA or National Trust Australia.

The proponent has been advised to seek the support of the WA Heritage Council and National Trust. Subject to that support WA Police will further consider the proposal.

LOCAL GOVERNMENT LIBRARY FUNDING

4226. Mr J.N. Hyde to the Minister for Culture and the Arts

In relation to the 5 October 2010 media release Local governments to benefit from new library funding model, I ask:

- (a) will the Minister table the full funding model showing allocations to each local government, as per draft tables published in previous draft library funding agreements; and
- (b) which are the 13 per cent of libraries which will be worse off under this new model, receiving a lower allocation than in 2009-2010?

Mr J.H.D. DAY replied:

- (a) [See paper 2858.]

The attached table shows the theoretical allocation for each local government for 2010-11 across a full year under the new allocation model.

- (b) Local governments that have a reduced allocation for 2010-11 under the new model are Ashburton, Carnamah, Carnarvon, Coolgardie, Coorow, Dandaragan, Dumbleyung, East Pilbara, Gnowangerup, Katanning, Lake Grace, Manjimup, Merredin, Narrogin, Northampton, Perth, Plantagenet, Victoria Plains.

EMERGENCY SERVICES HEADQUARTERS — ESPERANCE

4234. Ms M.M. Quirk to the Minister for Emergency Services

- (1) Can the Minister advise when the new emergency services headquarters in Esperance, for the SES and Fire Brigade, will be operational; and
 - (a) as the building is already complete, what is the reason for the delay?

Mr R.F. JOHNSON replied:

The Fire and Emergency Services Authority of Western Australia (FESA) advises:

- (1) It is anticipated that the facility will be operational for the Esperance State Emergency Service, the Volunteer Fire and Rescue Service and the Volunteer Marine Rescue Services in early 2011.
 - (a) Delays have included the arrangement of connections to various utilities and finalisation of the communications infrastructure.

The approval process to allow the connection of sewer and water to the facility took longer than expected however this issue has now been addressed.

Following completion of site works and construction of the building, the original communications infrastructure design was deemed unsuitable for the site. A specially designed, 30 metre communications tower is now required which was not included in the original build specifications and therefore not supplied as part of the original build. It is estimated that this new tower will be manufactured and delivered by the end of November 2010 and its installation, along with other internal communications equipment will be complete by end of December 2010.

Completion of the building has also had to align with the deployment of the new Direct Brigade Alarm network as it is not technically possible to deploy infrastructure in the new building for the existing network. Implementation of the new network in the Esperance town site was originally scheduled to begin in 2011 but has been bought forward to November 2010 and it is anticipated that these works will be complete before the end of December 2010.
