

## Legislative Council

Wednesday, 20 September 2000

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**THE PRESIDENT** (Hon George Cash) took the Chair at 4.00 pm, and read prayers.

### **LYNETTE BLIGHTON - RELIEF**

#### *Petition*

Hon B.K. Donaldson presented a petition, by delivery to the Clerk, from one person praying for relief.

[See paper No 264.]

### **HON SIMON O'BRIEN - LEAVE OF ABSENCE**

On motion without notice by Hon Muriel Patterson, resolved -

That leave of absence for six sitting days be granted to Hon Simon O'Brien on the ground of parliamentary business.

### **RURAL AND REGIONAL WESTERN AUSTRALIA - FAILURE OF STATE GOVERNMENT**

#### *Motion*

Resumed from 19 September on the following motion moved by Hon Tom Stephens (Leader of the Opposition) -

That this House -

- (1) Condemns the State Government for its failure to safeguard and improve the interests of rural and regional Western Australia and its misplaced priorities.
- (2) Calls on the Government to amend its policies and give priority to the delivery of core government services to all Western Australians, especially in the areas of health, education, community safety and public transport.

**HON N.F. MOORE** (Mining and Pastoral - Leader of the House) [4.04 pm]: I was about to complete my remarks yesterday. Again, I make the point that a party - namely, the Labor Party - which is seeking to create the impression in this House that this Government is not concerned about regional Western Australia is the very same party that got rid of or lost a significant number of its members of Parliament in the most remote and regional parts of Western Australia. It has almost no members in the Mining and Pastoral Region. Yesterday I made the point that in the Pilbara, which is a very important part of regional Western Australia, the Labor Party disendorsed one of its sitting members. For the Leader of the Opposition to say that the Government is out of touch is ridiculous, in the context of a party which has disendorsed one of its most popular members. It will be interesting to see whether the dictates of the Labor Party head office can be delivered, because when people make decisions about quotas and factions, they eventually get to the stage where they have square pegs in round holes. They finish up having to get candidates who are not what the community wants. I think we will find out very soon exactly what the people in my part of the world think about the Labor Party.

Hon Bob Thomas interjected.

Hon N.F. MOORE: It is interesting that Hon Bob Thomas interjected that the Labor candidate for the south west comes from Perth. Again, that is a demonstration of the attitude of the Labor Party towards country Western Australia. The Labor Party keeps mouthing platitudes about what it will do for regional Western Australia and it continues to argue the case that the Government does not do enough; however, at the same time, when it has a chance to do something about endorsing local candidates, it picks its head office honchos. It is as simple as that. The Labor Party will send anybody who has the numbers or who is the right gender into regional Western Australia to be its candidate, even at the expense of people like the member for Pilbara, Larry Graham. I find it extraordinary that a party which comes into this House with a motion like this -

The PRESIDENT: I have read the motion carefully, and although I understand that it is framed in wide terms, debating individual candidates seems to be a tad wide of the mark.

Hon N.F. MOORE: By way of explanation, so that the House understands the point I am making, I say this: The Leader of the Opposition, who comes from the Mining and Pastoral Region, has moved a motion to condemn the State Government for not looking after rural and regional Western Australia, for having misplaced priorities, and various other matters. I am simply making the point that the party from which this Leader of the Opposition comes is the same party that is telling the people of regional Western Australia that, whether or not they like it, these are the people who will be their candidates - head office will decide who the candidates will be. If that is not a reason for me to argue against this motion, I do not know what is. It is demonstrably clear to people in my territory at least that the Labor

Party has lost touch altogether with the Mining and Pastoral Region. I know that, as do members opposite, and they will find out very soon that that is the case.

The Government has an excellent record in health, education, community safety and public transport, with record expenditure and record consideration of these core business areas of government. At the same time, however, we believe that there is a role for government to spend money in some areas so as to encourage the private sector to invest large sums of money. That is one reason that I argued yesterday that the convention and exhibition centre will be an excellent addition to the job-creation capacity of Western Australia. Similarly, the belltower will be a major tourist attraction. Thousands of people will be attracted to Western Australia to see it as an icon and as the world's biggest musical instrument.

This is another motion moved by the Opposition which has awarded a free kick to the Government. It is typical of the Leader of the Opposition, who clearly does not understand what is going on in regional Western Australia and who purports to be critical of a Government that has put regional Western Australia as its number one priority.

**HON LJILJANNA RAVLICH** (East Metropolitan) [4.10 pm]: I support the motion. I could spend some time commenting on the speech by the Leader of the House, but I have limited time so I will speak to the motion. There is no question that this Government has misplaced priorities. It is obvious that the social dividend promised to Western Australia has not been delivered. I remember when the Government crowed about the social dividend it would produce. However, we have heard very little talk of it recently, largely because there is no social dividend. Western Australians can rightly feel very disappointed about that.

A key area in which I have shown interest is contracting out and privatisation. The Government has its priorities wrong in both areas. It has been gung-ho on the privatisation agenda; unfortunately, it has not put in place the right checks and balances. Due to the Government's gung-ho approach, numerous contracts have been shown to be cost ineffective.

The issue I want to draw to the attention of the House today is the sale of State Print, one of the first privatisations undertaken by the Government some time ago. In undertaking that sale the Government demonstrated that its priorities were misplaced. State Print was purchased by Coventry Group Ltd and then on sold to Fairplay Print, which was then purchased by Sands Print Group. Fairplay and Sands Print are both still operational. Fairplay employs about 10 staff and I understand Sands Print, which operates from Bassendean, employs between 60 and 75 people.

The issue is that a large number of state employees were given 12 weeks' redundancy pay when State Print was privatised and all their benefits and entitlements were transferred to the purchaser. That all sounds very reasonable, but some financial difficulties have arisen with Sands Print. The Opposition understands that it owes the Australian Taxation Office approximately \$9.7m, the Australia and New Zealand Banking Group Ltd \$11m, Dalton Fine Paper \$1.25m and Amcor Ltd about \$250 000. A major provider of printing services to the Government owes approximately \$30m to companies throughout the State.

Hon B.M. Scott: Are you aware of the debt State Print owed?

Hon LJILJANNA RAVLICH: No, but the bottom line is that a number of State Print employees transferred to Sands Print, whose entitlements are now at risk. My other concern is that Sands Print still provides a range of services to the Government, which I will describe shortly. There is also a question surrounding the future of government contracts with Sands Print. My primary concern at this time is that approximately 25 employees at Sands Print are at risk of losing all their entitlements, including their annual leave, long service leave, pro rata holidays and any other entitlements they may have transferred when State Print was privatised. That is unacceptable. The State Government has an obligation to ensure that those employees are not disadvantaged. Apparently Sands Print has established eight companies between which assets and employees are transferred. The firm is under administration by Deloitte Touche Tohmatsu, which hopes to sell it as an ongoing concern. It remains to be seen whether that will eventuate; nonetheless that is a secondary issue. The primary issue should be the safeguarding of the financial interests of the previous government employees.

#### *Point of Order*

Hon DERRICK TOMLINSON: I have listened to the member's remarks and tried to find something on the Notice Paper relevant to what Hon Ljiljanna Ravlich is discussing. I assume we are debating Notice of Motion No 1 and I ask that it be drawn to her attention that she should be addressing that motion.

The PRESIDENT: I also have been listening to Hon Ljiljanna Ravlich speak. As I said yesterday, it is sometimes necessary to break a motion into its constituent parts. Without going into great detail, part 2 of this motion calls on the Government to amend its policies. And that is discrete. It then encourages the Government to give priority to the delivery of government services to all Western Australians and in some specific areas. The mere fact the motion calls on the Government to amend its policies seems to enable a member to refer to government policies both past and present that, in the eyes of some, have caused the Government to be giving insufficient priority to some areas. The sale of State Print is unquestionably one of the Government's policies.

It is not for me to judge the correctness of the member's claims. However, it is for me to judge that her comments so far are consistent with the terms of the motion.

Hon DERRICK TOMLINSON: Far be it from me to argue with that. However, were we to follow that argument, the first clause refers to improving the interests of rural and regional Western Australia. The operative word is improve. With the conjunction, it would then be "and improving its misplaced priorities".

The PRESIDENT: That is the very point. Hon Derrick Tomlinson is reading it in a conjunctive manner and I read it in a disjunctive manner. My comments yesterday were that certain words were added to the motion. They are the words "and its misplaced priorities". A member could mount an argument on those four words alone.

*Debate Resumed*

Hon LJILJANNA RAVLICH: Thank you, Mr President. There is no doubt in my mind that this Government has misplaced its priorities. Had it been half smart it would have amended some of these policies a long time ago, particularly policies in relation to contracting out and privatisation. However, that is not the case and I do not think its policies are serving the interests of Western Australians. I will refer in due course to regional Western Australia in relation to the Western Australia Police Service.

The Sands Print Group has been the subject of Police Service and Australian Taxation Office investigations for some time. One of the earliest reports was on 26 February 2000. A number of reports were lodged about its operations at Bassendean and Osborne Park. It is interesting to note that, irrespective of the questions raised about this organisation, it has been awarded a wide range of government contracts.

The Government's policies regarding the awarding and regulating contracts need amendment. We are dealing with a company that may go into receivership, given the amount of money it owes. What will the Government do about the large number of contracts it has with this company? It currently holds a \$75 000 contract to offset print geological series maps.

The PRESIDENT: Does this relate to the Government's misplaced priorities? If the member were to mention the words "misplaced priorities" and "policies" every now and again, I would know that she was on track.

Hon LJILJANNA RAVLICH: Thank you, Mr President.

The Government should implement a policy of scrutinising a tendering company and its financial position before any contract is awarded. In other words, there should be a due diligence process to ensure that the potential contractor has a solid business and a strong performance record. Clearly, this company is under financial pressure. I do not know whether that is a recent development, but it has been awarded new contracts in the past 13 months. For example, the contract for the printing of the "Reform of the Criminal and Civil System Report" for the Law Reform Commission, valued at \$110 620, was awarded in August 1999. Another contract was awarded in November 1999 for the printing and delivery of DriveSafe booklets. The company awarded that contract now has a question mark over its future. I suggest that had the Government's policies been effective, a more stringent check would have been done and some of these contracts might not have been awarded. If that were the case, the Government would not now be dealing with the problem of what to do with these contracts in the event that this company does not survive.

The Government's policies do require due diligence checks to be undertaken. However, because of this Government's misplaced priorities -

Hon Peter Foss: Very good!

Hon LJILJANNA RAVLICH: - and because the Government is so hell-bent on privatising -

Hon Peter Foss: It is a policy.

Hon LJILJANNA RAVLICH: Yes, it is a government policy. It is also determined to reduce the number of public servants. This passion for privatisation and downsizing has resulted in the Department of Contract and Management Services not having the resources required to carry out proper due diligence checks.

Hon Peter Foss: Do you think that is the reason?

Hon LJILJANNA RAVLICH: It plays a significant part.

Hon Peter Foss: Do you have evidence of that?

Hon LJILJANNA RAVLICH: This Government also has a misplaced policy about self-regulation, and many problems are cropping up as a result. The Attorney General might like to consider the autonomous purchasing authority given to government agencies. The Government has no idea who is purchasing what. It also has no idea what is going on in government trading enterprises. Many GTEs feel under no obligation to provide information about their activities to their responsible minister. One of the organisations that comes to mind is Western Power. These policies must be revised.

Other contracts awarded to Sands Print also have a question mark over them; such as contracts for the production of motor vehicle registration labels and disks. Substantial contracts have been awarded to this company - one for

\$920 000 for the provision of printing and distribution of State Law publications for the Ministry of the Premier and Cabinet. I do not know whether that contract covers the printing of *Hansard*, but it would be a sad day if we could not get a copy of *Hansard*. That could occur because this Government has such misplaced priorities.

Hon B.M. Scott: Do you think printing is a core government service? What about hospital laundry and linen services?

Hon LJILJANNA RAVLICH: I am not sure that the Government is getting a better service from private providers. Whether a service is core or non-core should not be an argument to support privatisation; that is not the only judgment one can make. What is seen to be core and non-core will be interpreted differently by different individuals. I am a great supporter of the public health system. If the member were asking whether I believed that hospital laundry was a core service, I would argue that it was more core than non-core. I cannot think of anything more important than the daily provision of clean and sanitised hospital laundry with minimal hiccups and loss of quality control. It is an important service. If I were to ask Treasury officers whether they thought the provision of clean laundry was a core or non-core area in the health sector, they might have a different -

Hon B.M. Scott: I am sure they would agree, but not that it is a core government service.

Hon LJILJANNA RAVLICH: This Government's policies suggest that nothing is a core service. The public sector is constantly being reduced. This Government's policies do not result in the provision of good core public services. Everything is double handled or double charged. One cannot even get information from public sector agencies unless it is through a fee-for-service arrangement. The Government talks about accountability; I will tell it how bad its priorities are. About nine months ago, I rang the Commissioner for Public Sector Standards to access a report, which was paid for by taxpayers. He said my request should be made through the freedom of information process. I could not believe I was required to submit a freedom of information request to access a report. He said that enabled the Government to recoup the cost of producing the report. That is an indication that we are heading into very troubled waters.

The Government's policies on contracting out are wrong. I am concerned that work undertaken by Sands Print Group could be sent offshore, particularly the work it does for the Totalisator Agency Board. I understand a \$2 000 contract is out to tender. It will be interesting to see who it is awarded to, as two of the tenderers are offshore companies. It would be a sad development if local work were sent offshore. I understand Sands Print is also tendering for the contract. We need to do the best by its employees. It will be interesting to see how the tender evolves.

I am particularly concerned about three things: First, the future of the 75 to 80 employees of Sands Print. A substantial number of people will be directly impacted on by this Government's misplaced priorities and policies. Second, I am concerned about the 25 individuals with outstanding entitlements, which should be met by Sands Print or the Government. It was a government decision to transfer those entitlements to the purchaser of State Print. The Government should not, due to its own misplaced priorities, avoid its responsibilities. Third, I am concerned that state printing work could be sent offshore.

I have listened to government members in this place try to convince me that all that is occurring in the area of contracting out is above board and achieving fantastic success. It is not. Members opposite either believe the situation is too far gone and are trying to make the best of a bad situation, or they are not prepared to accept responsibility for a situation created by their own misplaced priorities and, as addressing the situation would require them to amend their policies, are not prepared to accept they got the policies wrong. That is one of the key issues that is hindering progress. The Government is holding firm and refusing, under any circumstances, to accept that it got it wrong. It is reasonable to expect that prior to awarding a contract to a private company, the Government should ensure the financial background - that is, viability, stability and solvency - of the contractor. Coventry Group Ltd purchased State Print, but it had difficulty making profits and on-sold it to Sands Print. If somebody had applied the proper policies or noted that the policies were deficient and amended them to ensure they could be properly applied, I am sure the financial background of the contractor and the history of the people involved might have come to light. It is not sufficient to rely on a Dun and Bradstreet (Australia) Pty Ltd credit check when awarding contracts of \$1m, \$2m, \$10m or even \$300 000. That does not qualify as a proper due diligence check, yet this Government believes that is acceptable. It is important to ensure that the company's background is checked out, that the directors are who they say they are and that they are the people directly behind the company.

It is also important to ensure criminal checks are carried out. Yet, that is often not the case. A range of things would happen if government policies worked effectively; they do not happen by osmosis. The bottom line is that such regulatory checks - track record, experience, references, previous work and whether the claims made by the company add up - require analysis, time and resources. We know the public sector does not seem to have many resources or surplus individuals who can undertake these tasks. That is indeed sad. This Government's priorities have diminished the public sector to the point at which expertise is not available to undertake work in the critical area of contract management. That is a sad reflection on this Government. This indicates that the Government has priorities and that it needs to have a very close look at its policies and identify the gaps so that they can be amended.

State Print is probably only one of many examples that has come to my attention, but I am sure other examples never come to the attention of a member of Parliament and are, therefore, not raised in this place. However, that does not

suggest that similar situations do not arise. As I understand it, many more than 25 employees were transferred from State Print to Fairplay Print and then to Sands Print Group, but there has obviously been attrition over time and many of those workers have left.

One of my concerns is that there is not enough scrutiny of these contractors. Four or five months ago the State Supply Commission and the minister announced that, in order to ensure that the Government was adhering to policies in this area, under the minister's authority a "health check of procurement and contracting across the Western Australian Government" would be conducted. I do not know what the Minister for Services expected to find, but the findings of that report were not a surprise to me. If anything, this report demonstrates that the Australian Labor Party has not been far off the mark in relation to some of the problems, issues and identified weaknesses surrounding the Government's contracting out agenda. I draw the findings of this report to the attention of the House because they directly link government policies with the requirement to amend government policy so that taxpayers can be assured that they will get some value for money. It is clear that taxpayers are not doing very well as a result of the Government's contracting out activities.

This health check was undertaken by Cap Gemini Ernst & Young Australia Pty Ltd. Page 1 indicates that the review was conducted on a pilot group of 15 agencies nominated by the State Supply Commission. The report reads in part -

As part of the review process, each agency was required to put forward a list of tendered contracts, which were awarded since 1 July 1998 and were valued at \$50 000 or above. The State Supply Commission selected in total 73 contracts for inclusion in the review.

The review included small, medium and large agencies, and a range of public sector agencies, including Agriculture Western Australia, the Department of Conservation and Land Management and Transport Western Australia. I will not go through the whole list of 15.

I am referring to only the conclusions of this review because time prohibits me from going into detail. Some of the policy areas looked at were adequacy of risk management, internal audit and general administration processes. The consultants found little evidence that formal risk management techniques were being applied to individual contracts and contract management. That is of concern to me. Furthermore, the review continues by stating that in the majority of agencies, contractual information is retained within general correspondence files and is not maintained as contract specific. In other words, the information is all over the place. As I understand it, the Government will introduce legislation in this place in relation to public records. As opposition spokesperson for public sector management, it is my experience that the maintenance of records is absolutely dismal throughout the public sector. As a result of using external consultants and downsizing, there is not the time to maintain records or to file records properly and make sure that they are accessible for future use.

The next section relates to the assessment of the procurement and contracting function, and the report states that this "is usually undertaken, in a general form only, as part of the agency's project justification process. However, formalised procurement planning for individual contracts was only evidenced for procurement valued above \$1m." In other words, contract and procurement planning was not essential, but it was something that was usually undertaken. If I were a taxpayer I would not feel very comfortable that contract and procurement planning was only done on contracts over \$1m. It usually happened for contracts under \$1m, but if it did not happen it was no big deal. That indicates not only the sloppiness of this Government's handling of this issue, but also that the existing policies are certainly not sufficient and should be tightened up as a matter of priority. I have stood in this place and spoken ad nauseam about the importance of proper risk assessment and the need for proper contract management. I have also expressed my concern at the lack of resources applied by government agencies to this area.

The review then stated that -

active Contract Management under the terms of reference of the Health Check was not subject to detailed review;

the limited overview however concluded;

no formal contract management plans were evident;

contract management records were held within general correspondence files making active interrogation and management difficult;

contract records were generally maintained to support the contract formation phase, with little evidence of where these records linked into the contract management process.

If this does not indicate that there is something wrong with the Government's contracting out policies, I do not know what does. In some cases we are speaking about multi-million dollar projects and the Government jumps up and down and skites about the fact that it will do a wonderful thing and introduce something as innovative as a "health check".

I remember the minister in the other place walking around in a cloud for two days because a media guru had the bright idea of a "health check" of government contracting. When one reads this report, that is like conducting a health check

on a corpse. At best it is an absolute joke that these multimillion-dollar contracts have no evident formal contract management plans. On what basis did the Government determine that this is a good path to go down?

Hon N.D. Griffiths: It sounds like a good subject for a royal commission.

Hon LJILJANNA RAVLICH: There would be no surprise about what one would expect to find in this whole area. I imagine that in the Department of Contract and Management Services a plethora of interesting information exists.

The Australian Labor Party has major concerns about this Government's misplaced priorities in the areas of contracting and privatisation. It is easy to see from what has happened to State Print's former workers, who have been transferred across to Sands Print Group Ltd, that workers are not looked after, are promised the world and at the end of the day delivered nothing by this conservative Government. There might now be 25 unemployed workers of this company that is likely to go bankrupt who are likely to lose all their entitlements. No member of this Government has bothered to put up a hand and say, "We have a problem and we accept responsibility for this problem." In fact, as usual when there is a problem, every member of this Government lies low. That is just one of many examples of the unworkability of this Government's misplaced policy priorities in the privatisation and contracting areas and the direct cost to Western Australian people.

Rather than any benefit or social dividend to Western Australians, these people will pay for the activities of this Government. The Labor Party will carefully watch the situation of Sands Print, how it evolves and what will happen to the contracts that the Government currently has with Sands Print. I ask the Government what it intends to do with those contracts in the event that Sands Print does not survive and goes into bankruptcy. We will watch this situation very carefully as we believe taxpayers' money has been put at risk and the economic wellbeing of people whom this Government should have protected is now at risk. We will watch the situation carefully to ensure the Government does not wriggle out of any of its obligations, in particular those affecting 25 individuals upon whom the misfortunes of Sands Print will directly impact. We will look closely at how the Government handles this situation and watch with great interest other related matters such as the transfer of contract obligations and matters pertaining to the Government's current arrangement with that organisation. It is clear that this Government has got its priorities wrong. The policy holes are so big that one could drive trucks through them. If the Government were half smart it would at least admit, first, that it has a problem and, secondly, try to do something about it.

**HON DEXTER DAVIES** (Agricultural) [4.54 pm]: I welcome the opportunity to remark on the motion moved by the Leader of the Opposition, specifically his remarks about the Government's lack of interest in and misplaced priorities towards regional Western Australia.

If we were to believe what members opposite said, regional Western Australia is all gloom and doom and nothing has ever happened out there. They peddle that doom and gloom story in a politically opportune way to try to drive people into despair by inferring that it is not worth living in regional Western Australia. Having lived there for most of my life and worked and participated in community activities such as education, the provision of health and working with voluntary organisations in those country towns, I can assure the House that opportunities are well and truly alive. With the support of the Government, opportunities are available in regional Western Australia for people to live and participate in a wonderful way of life. My family still lives in regional Western Australia, as I do when I get away from this place. It is irresponsible of members to suggest that all those things have disappeared in their doom and gloom talk. It is wrong to try to convince people that those areas are disastrous and to talk down people in those areas. It is especially wrong to do that in the environment in which people in regional areas find themselves after a season over which they had no control and which dealt such a hard hand to them.

Hon Ljiljanna Ravlich: You can't blame the Labor Party for that.

Hon DEXTER DAVIES: I can blame the Labor Party for trying to talk them down as this is about confidence.

Hon Ljiljanna Ravlich: You have the problem. Your banks are going and your schools are closing. It is your policy, you must cop it. It is as simple as that.

Hon DEXTER DAVIES: I thank the member for bringing up the issue of banks. There is one area in which that has been an outstanding success recently.

The PRESIDENT: Hon Ljiljanna Ravlich will come to order.

Hon DEXTER DAVIES: I have not heard of any Bendigo banks closing down in Western Australia. I have heard of five new banks going into regional areas as a direct result of this Government's efforts.

Hon Bob Thomas: This Government? You mean Geoff Gallop.

Hon DEXTER DAVIES: Whoop-de-do!

Several government members interjected.

The PRESIDENT: Order!

Hon DEXTER DAVIES: I challenge members opposite to make inquiries of the management of Bendigo Bank as I can assure them that is not true.

Hon Bob Thomas: Gallop invited them here a long time before you did. You guys rewrite history every day.

Hon DEXTER DAVIES: That is very much open to dispute. If the member were to say that outside this place he would be laughed out of town by the management of Bendigo Bank. Aside from that, I know who went to Bendigo, who met with people from that bank and who invited them to Western Australia. I know who compiled a list of towns in which it would be possible to open a bank. I know who went to those towns with the Bendigo Bank management and who put the propositions to them. I know that because I was involved in it. I did not go to Bendigo, but I went to every meeting that was held in Western Australia on that matter from start to finish. I am glad to hear the Labor Party now say that this will not be a fizzer and it looks like it will work out in those country towns. The Labor Party is waving a flag, saying, "You beauty" and congratulating Bayswater and North Perth. I think that is a good thing. However, it is not true that this Government is about closing banks. The fact is that in regional areas we have convinced people that banks do make money and if they participate -

Hon J.A. Scott: What about the R & I Bank?

Hon DEXTER DAVIES: What about Bendigo Bank?

Hon J.A. Scott: You are saying you didn't get rid of any of them, but you got rid of the R & I.

Hon DEXTER DAVIES: BankWest is still there.

Hon J.A. Scott: It is not a Rural and Industries Bank of Western Australia any more.

Hon DEXTER DAVIES: A lot of people would consider that the Rural and Industries Bank -  
Several members interjected.

The PRESIDENT: Hon Bob Thomas and the Attorney General will come to order. I am trying to listen to Hon Dexter Davies.

Hon DEXTER DAVIES: It is a wonderful thing that community banking has been developed. It provides people with an opportunity to take their destiny into their own hands, and that has assisted them. People in country areas where that has occurred think it is a wonderful initiative.

In terms of closing all the banks, it is a cheap -

Hon Ljiljana Ravlich: You have not lost any services out there -

Hon DEXTER DAVIES: In terms of those banks, they have been provided.

Hon Ljiljana Ravlich: What have you lost?

Debate adjourned, pursuant to standing orders.

### QUESTIONS WITHOUT NOTICE

#### CONVENTION CENTRE - TENDERS

#### **234. Hon N.D. GRIFFITHS to the Leader of the House representing the Premier:**

Some notice of this question has been given. I refer to the commitment made last week by the Premier to Parliament and to the media to table three letters from unsuccessful convention centre tenderers. Will the Premier now honour his commitment to table the letters; and if not, why not?

#### **Hon N.F. MOORE replied:**

The question is based on a false premise. If the member were to spend a moment reading what the Premier said in the other House, he would know what the commitment was; that is, the Premier would table the letters if it were appropriate to do so. The Premier has asked me to look at them and I am also looking at the question that was asked by the Deputy Leader of the Opposition in the other House, because the question could be interpreted in several ways. Interpreted one way, there were no letters; interpreted another way, there were a couple of letters. I do not know which three letters Hon Nick Griffiths is talking about; however, I am looking at this issue to see whether it is appropriate to table any correspondence.

The question asked by Mr Ripper was along the lines of whether any of the proponents had written to the Premier complaining about Multiplex becoming the preferred tenderer for the convention-exhibition centre. That question does not relate to any letters that I am aware of. However, it depends on how the question is interpreted. I will look at the question and all the correspondence that has been received. If it is appropriate for those letters to be tabled, I will have no problem in doing so.

CAR PARKING BAYS - NO 3 CAR PARK

**235. Hon N.D. GRIFFITHS to the Minister for Tourism:**

- (1) How many car parking bays will be lost as a result of the proposed stadium to be built on the Perth Entertainment Centre car park No. 3?
- (2) What effect will the loss of these bays have on patrons for the Perth Entertainment Centre and Northbridge restaurants?
- (3) Will the bays be replaced and who will be responsible for the costs?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) The No 3 car park currently has 623 car bays. The addition of a world class 19 000-seat, rectangular pitch stadium at the site requires that number to be reduced to approximately 334 car spaces. The net impact, however, is an increase of more than 900 car bays in the city as a result of the construction of the stadium and the Perth convention and exhibition centre.
- (2) It is anticipated the effect on patrons to the Perth Entertainment Centre and the Northbridge area will be minimal, with 200 new car parking spaces at Roe Street, an existing 400 spaces at Elder Street, 300 or so at the cultural centre and the 500 spaces at City Park. All these spaces are within an easy five-minute walk of the vicinity.  
  
A further effect will be to bring an additional 19 000 patrons to the city on game days, most of whom will sensibly utilise the excellent public transport access to the site.
- (3) The 334 bays will be replaced at the cost of the operator of the bays. In addition, the development of the Perth convention and exhibition centre will lead to the creation of an additional 1 200 bays at Westralia Square, with no loss of bays at the No 2 car park at Mill Street.

ALBANY HIGHWAY, BEDFORDALE HILL

**236. Hon KIM CHANCE to the Minister for Transport:**

- (1) What further works have been undertaken on the Bedforddale Hill section of Albany Highway since 30 April 2000?
- (2) What has been the cost of this work and who has borne that cost?
- (3) What were the respective roles of BGC Construction and Henry Walker Contracting Pty Ltd in the construction of this road?
- (4) Have any reports been undertaken to establish the cause of the ongoing problems with this road?
- (5) If so, will the minister table these reports; and, if not, why not?
- (6) Has any compensation been paid to the surrounding residents affected by the construction of the road; and, if so, how much and who has borne the cost of that compensation?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1)
  - (a) Miscellaneous items of work to finalise the project include cleaning and tidying up of the site, in addition to the requirements of the construction contract, drainage refinements and driveway adjustments.
  - (b) Scheduled follow-up landscaping.
  - (c) Maintenance work by CSR Emoleum under term network contract No 7 includes pothole repair, cleaning out of drains and minor drainage repair.
- (2)
  - (a) An amount of \$70 000.
  - (b) An amount of \$45 000.
  - (c) Estimated at less than \$5 000.

Main Roads WA has borne the cost of this work.

- (3) BGC Construction constructed an underpass and dual use path on Albany Highway near the corner of Carradine Road, Armadale under Main Roads contract No 183/97.

Henry Walker Contracting constructed eight kilometres of dual carriageway and an arrester bed on Albany Highway at Bedforddale under Main Roads contract No 64/96.

- (4) Since April 2000 the only works that have been undertaken on this project are those that would be expected on new road construction works in the hills area. No reports have been prepared on those works.
- (5) Not applicable.
- (6) Yes. Compensation has been paid to surrounding residents affected by the project, for land purchase or accommodation works such as driveways, fences, water pipes, dams and phone line modifications.

Main Roads has borne this cost as a normal project item. Details of the extent of compensation will take some time to collate, so I ask the member to put this part of the question on notice if the information is required.

#### OMEX SITE - THIESS ENVIRONMENTAL SERVICES

**237. Hon J.A. SCOTT to the Attorney General representing the Minister for the Environment:**

Further to my question without notice on 19 September, I refer to part (3) regarding action levels being exceeded at the Omex remediation site.

- (1) Is the Minister for the Environment now aware that progress reports by Thiess Environmental Services for the weeks ending 26 April and 3 May, which stated that alert or action levels had not been exceeded, were incorrect?
- (2) Is the minister further aware that residents living close to the Omex site became ill as a result of the excessive levels?
- (3) Can the minister explain why Thiess supplied the department with incorrect information?
- (4) What action has the minister taken against Thiess Environmental?
- (5) Will the minister apologise to the community affected by the fumes and to the medical practitioners who were incorrectly advised that there was no health risk from the emissions from the Omex site?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1) The reports to the Department of Environmental Protection by Thiess Environmental Services for the weeks ending 26 April and 3 May represented Thiess' interpretation of the Omex air monitoring data about alert and action levels being exceeded. The DEP is currently undertaking an in-depth analysis of all the digital data gathered by Thiess.  
  
At the conclusion of its review, the DEP will make public a report on all aspects of the remediation work on the Omex site, to the requirements of the Environmental Protection Authority. Independent advice on public health aspects of the remediation work, including air emissions, will be provided to the EPA by the Health Department of Western Australia.
- (2) The minister is aware that a number of residents complained about being affected by emissions from the Omex site during the remediation work. However, the minister has received no medical confirmation that residents were made ill by these emissions, nor has it yet been confirmed that the complaints of the residents coincided with instances of the levels being exceeded.
- (3)-(4) Until the DEP review of the air monitoring data is completed, it cannot be determined whether Thiess provided incorrect information.
- (5) The minister has received no medical advice that emissions from the Omex site during the remediation work adversely affected the health of nearby residents.

#### DAIRY INDUSTRY COMPENSATION PACKAGE

**238. Hon HELEN HODGSON to the minister representing the Minister for Primary Industry:**

- (1) How many dairy farmers were eligible to receive money under the compensation package following deregulation of the dairy industry?
- (2) How many of those eligible farmers applied for compensation?
- (3) Has the minister received any figures indicating the number of dairy farmers who have opted to leave the industry following deregulation?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of the question.

- (1)-(3) Approximately \$108m of the Federal Government's \$1.8b restructure package has been provided to Western Australian dairy farmers to assist a managed transition to a deregulated market. This state coalition Government has also provided a \$27m dairy industry assistance package to the Western Australian dairy industry to further assist the transition. In addition, the State Government has transferred to the industry the ownership and net assets of the Dairy Industry Authority of Western Authority and the Herd Improvement Service of Western Australia, worth in excess of \$10m.

HORTICULTURAL RESEARCH INSTITUTE, MANJIMUP

**239. Hon MURIEL PATTERSON to the minister representing the Minister for Primary Industry:**

Will the minister advise the House how the new Horticultural Research Institute in Manjimup will benefit the local community?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

The new Horticultural Research Institute at Manjimup will benefit the local community in a number of ways. The \$2.7m project includes new laboratories for fruit, vegetable and viticulture research, a state-of-the-art glasshouse with semi-automated climate control and an information access centre for community use. The institute can provide work space for 50 staff. These facilities provide the focus for research and development services for the south west's horticultural industries. This work generates new technology to increase the value of agricultural production in the Manjimup district - currently about \$150m - and to maintain the global competitiveness of our horticultural exports. The multiplier - value added - effect of this agricultural production has spin-off benefits for the local community.

The institute is expected to become an internationally recognised centre of expertise and, as such, will attract significant funding and investment to the area. It is also likely that close links will be forged with academic institutions to locate at the centre students working on research projects and conducting fieldwork.

There will be opportunities to forge strong links between the local community, industry representatives and the management of the institute. This will ensure that the local community has an opportunity to provide input into the direction of research, to judge the relevance of what is done and to ensure products are market focused.

ALPHA WEST PTY LTD

**240. Hon G.T. GIFFARD to the Leader of the House representing the Minister for Employment and Training:**

I refer to the answer to question without notice 143.

- (1) Will the Leader of the House table the written contractual basis confirming the terms and conditions under which Alpha West Pty Ltd currently operates; and, if not, why not?
- (2) Is there a contract between Alpha West and the Department of Training and Employment for the provision of telecommunication services?
- (3) If yes, did this contract go out to tender; and, if not, why not?
- (4) Is this contractual agreement fully documented and demonstrably compliant with the government purchasing policies as recommended in the Auditor General's report of April 2000; and, if not, why not?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) This information is currently being processed through the member's freedom of information request. I should perhaps clarify that point. The question was originally in the name of Hon Ljiljana Ravlich. It has now been changed, so that the reference to "the member's freedom of information request" may relate to Hon Ljiljana Ravlich's FOI request. If that is the case, I will amend the answer.
- (2) Yes, the contract is for the administration of the Department of Training and Employment's wide area network.
- (3) The contract currently used was tendered through the telecommunications management agreement, a whole-of-government common-use contract negotiated through the Department of Contract and Management Services.
- (4) New arrangements for telecommunication services are currently being put in place under the basic telecommunication services whole-of-government common-use contract negotiated through the Department of Contract and Management Services.

## CONVENTION CENTRE TENDERERS, CROWN SOLICITOR

**241. Hon J.A. COWDELL to the Attorney General:**

- (1) Have any of the unsuccessful convention centre tenderers written to the Crown Solicitor?
- (2) If yes, what were their concerns?
- (3) Will the Attorney General table the letters; and, if not, why not?

**Hon PETER FOSS replied:**

In view of the fact that the Crown Solicitor acts in a solicitor-client relationship with various organs of government, I have asked the Crown Solicitor to take instructions from the client before I answer that question. If the member asks the question again later, I may be able to deal with it.

## SOUTH BUNBURY PRIMARY SCHOOL SITE, SPECIAL EDUCATION CENTRE

**242. Hon BOB THOMAS to the parliamentary secretary representing the Minister for Education:**

I refer to the Government's earlier promise to build a new special education centre at the South Bunbury Primary School site.

- (1) What was the amount promised for the new facility?
- (2) What works were to be undertaken?
- (3) Will the parliamentary secretary table the changes, if any, that have been made to -
  - (a) reduce the size of the staffroom;
  - (b) exclude the fit out of the kitchen; and
  - (c) exclude the verandah?
- (4) Will the parliamentary secretary table the other changes that are proposed?
- (5) What consideration has the Government given to substituting the enclosed corridor connecting the centre with the school for a larger staffroom, a covered verandah and a fitted out kitchen?
- (6) If no consideration has been given, why not, and will consideration now be given?

**Hon BARRY HOUSE replied:**

I thank the member for some notice of this question and ask that it be placed on notice. I ask the member to note that the Minister for Education was in the Bunbury region today and visited the school. I am sure that he will be in a much better position to answer those questions from tomorrow onwards.

## SUNSET HOSPITAL SITE, PUBLIC OPEN SPACE

**243. Hon GIZ WATSON to the Leader of the House representing the Premier:**

I refer to the Government's commitment in response to questions asked on 26 May 1999 in the Assembly estimates committee to preserve as much of the Sunset Hospital land to public open space as possible.

- (1) What proportion of the Sunset Hospital site will become public open space - or remain as an A class service?
- (2) What landform does this public open space take?
- (3) How much does the Government expect to receive from the sale of excised land for sale and lease for development?
- (4) How much does the Government anticipate the upgrading of the heritage buildings will cost?
- (5) How much does the Government anticipate the upgrading of public open space will cost?
- (6) What will be the cost of maintaining these buildings and public open space?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question and ask that it be placed on notice.

## HOPE VALLEY-WATTELUP AREA, PROPERTIES PURCHASED

**244. Hon NORM KELLY to the Attorney General representing the Minister for Planning:**

- (1) How many properties has the Government purchased in the Hope Valley-Wattleup area to facilitate the Fremantle Rockingham Industrial Area Regional Strategy?

- (2) What is the total cost of these purchases?
- (3) What amount from the metropolitan region improvement fund has been used for this purpose?
- (4) Will revenue derived from the subsequent sale of these properties be returned to the MRIF?
- (5) If not, where will such revenues be allocated?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1) Eighty-five properties have been purchased from 84 owners.
- (2) \$10 460 000.
- (3) \$10 386 500 has been expended from the metropolitan region improvement fund.
- (4) Yes.
- (5) Not applicable.

ONSLOW SEAWALL

**245. Hon TOM HELM to the Attorney General representing the Minister for Emergency Services:**

Onslow residents were advised at a recent meeting that \$93 000 had been spent on a concept study for a seawall at Onslow. They were also advised that \$200 000 from a cyclone trust fund might be used to upgrade the Onslow airport. Will the minister advise -

- (1) Who paid for the study?
- (2) Why did the study cost so much?
- (3) Will the State Government assist in funding a seawall at Onslow?
- (4) If not, what other measures will the State Government take to assist the people of Onslow now that they have no protection from any danger from the sea?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1)-(4) The concept study for a seawall at Onslow was commissioned by the Shire of Ashburton. The cyclones Elaine and Vance trust fund provided \$30 000 to the shire for this purpose. As the Shire of Ashburton commissioned the study, the State Government is not able to advise why the study cost so much. The trust fund is awaiting further advice from the shire before committing funds to the seawall project and/or upgrade of the Onslow airport.

TOTALISATOR AGENCY BOARD, TICKET PRINTING TENDER

**246. Hon LJILJANNA RAVLICH to the Minister for Racing and Gaming:**

- (1) Is the Totalisator Agency Board currently calling a restricted tender for ticket printing?
- (2) Have any overseas companies been invited to tender?
- (3) How many local jobs would be lost if the Sands Print Group was unsuccessful in its bid?
- (4) How many of the jobs that would be lost would be those of former State Print workers whose entitlements were transferred when State Print was privatised?
- (5) Would workers' entitlements be fully protected if there were job losses as a consequence of Sands Print's failure to win the contract.

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) Yes.
- (2) Yes. Due the exacting standards required for printing on thermal card, a limited number of companies can tender for this type of work. All three Australian printers capable of undertaking the work were invited to tender and did so, as did two overseas tenderers one of which is in a joint venture with a Western Australian printer.
- (3) As Sands Print is a private entity this information is not available.
- (4)-(5) Not applicable.

## STATEWIDE TELECOMMUNICATIONS ENHANCEMENT PROGRAM

**247. Hon E.R.J. DERMER to the parliamentary secretary representing the Minister for Education:**

I refer to the major achievement for 1999-2000, listed at page 216 of the *2000-01 Budget Statements*, which are the equipment of more than 90 locations in Western Australia with satellite high-speed data terminals under the statewide telecommunications enhancement program.

- (1) How many Education Department schools in non-metropolitan Western Australia have now been equipped with high-speed data terminals?
- (2) Will the parliamentary secretary table a list of the schools?
- (3) How many of the schools have been equipped under STEP?
- (4) Will the parliamentary secretary table a list of the schools so equipped under STEP?
- (5) When does the Minister for Education anticipate that all Education Department of Western Australia schools will be equipped with high-speed data terminals?

**Hon BARRY HOUSE replied:**

I thank the member for some notice of this question.

- (1) Four non-metropolitan schools are equipped with satellite high-speed data terminals on a trial basis. In addition, a number of non-metropolitan schools are already using terrestrial high-speed data communications services.
- (2) Schools trialling STEP are Nannup District High School, Eastern Goldfields Senior High School, Dowerin District High School and Dardanup Primary School.
- (3)-(4) All of the above, as well as those already using terrestrial high-speed equipment.
- (5) The Education Department is presently undertaking a procurement program for high-speed data communication services to all metropolitan and non-metropolitan schools. It is anticipated that deployment of these services will commence in the first quarter of 2001. Whether they will be satellite high-speed data terminals or an alternative high-speed carrier technology will be determined through a formal market quotation process under the relevant whole-of-government contracts, including the STEP contract, which offers both satellite and terrestrial high-speed data services in non-metropolitan areas.

## EWINGTON OPEN CUT COALMINE - BUFFER AREA

**248. Hon CHRISTINE SHARP to the minister representing the Minister for Local Government:**

- (1) Can the minister confirm that on 7 August the Shire of Collie received a notice of intention from residents to sue over the mining buffer area at Ewington open cut coalmine?
- (2) Is the minister aware of how this situation has arisen?
- (3) What is being done to bring the situation to a speedy conclusion?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1)-(3) The Minister for Local Government is unaware of legal action and is therefore unable to comment on it.

## FISHERIES BUILDING - HILLARYS BOAT HARBOUR

**249. Hon KEN TRAVERS to the minister representing the Minister for Fisheries:**

- (1) Has the proposed fisheries building at Hillarys Boat Harbour passed all necessary planning approvals?
- (2) If no, when is approval expected?
- (3) Has an analysis been done on the effect the building will have on parking at the boat harbour?
- (4) If yes, what did the analysis show and will the minister table a copy of it?
- (5) Have any other locations been considered for the proposed building?
- (6) Why is it necessary for the facility to be moved from its current location?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1) Yes, it was on 26 May 2000.
- (2) Not applicable.
- (3) Yes.
- (4) I understand the analysis is detailed; therefore, the minister is happy to arrange a briefing for the member on the development application approval, which includes an analysis.
- (5) Yes. All possible sites between Two Rocks and Cockburn Sound were considered against a strict set of criteria, which resulted in the Hillarys site being selected as the only site that met all critical criteria.
- (6) The future requirements of the existing facility are beyond its design capacity and are constraining the required research capacity to ensure sustainable management of the State's fish and fish habitat resources. Assessment of the current Western Australian Maritime Research Laboratory site has shown that the redevelopment extensions are not possible owing to the site's physical limitations.

**PERTH CONVENTION AND EXHIBITION CENTRE - COSTS**

**250. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Lands:**

In view of LandCorp's letter dated 2 February 2000 to one of the proponents of the Perth convention and exhibition centre, which stated that its proposal is an exciting proposal that will provide a real focus for the Perth CBD as well as achieve the fundamental requirements of the convention centre facility, and that its offset approach of capturing the added value to contiguous land arising from a master-planned approach is possibly the only avenue through which costs can be recouped, I ask -

- (1) What communication has occurred between the PCEC task force and LandCorp on the viability of this land banking proposal?
- (2) Will the minister table the communication and if not, why not?

**Hon N.F. MOORE replied:**

I thank the member for some notice of this question.

- (1) Nil.
- (2) Not applicable.

**WESTRAIL - SALE PROGRESS**

**251. Hon KIM CHANCE to the Minister for Transport:**

Will the minister advise the House what progress has been made to date on the sale of Westrail?

**Hon M.J. CRIDDLE replied:**

As the member will probably know, arrangements have been made regarding employees. I think about 90 per cent of the employees have signed up with the employment company. Four tenderers have been selected, and they have access to the data room. Obviously they are active in that area. I am sure they are now in Western Australia looking around. The sale is proceeding steadily. We hope for an indication of finalisation of a preferred tenderer by the middle of October.

**SOBERING-UP CENTRE - NEWMAN**

**252. Hon TOM HELM to the minister representing the Minister for Aboriginal Affairs:**

- (1) Since the minister was responsible for the relocation of the Parnpajinya people at Newman, can he advise when a sobering-up centre will be available at Newman?
- (2) When will a hostel and old people's accommodation be constructed and what additional measures has the minister taken to allow for a smooth transition to Newman?

**Hon M.J. CRIDDLE replied:**

I thank the member for some notice of this question.

- (1) There are no plans to develop a sobering-up shelter at Newman.
- (2) There are no plans to construct a hostel incorporating old people's accommodation in Newman. The Ministry of Housing purchased four one-bedroom units in Newman in 1998 which are being used for aged Aboriginal people.
- (3) The Ministry of Housing has expanded the supported housing assistance program to assist tenants in need.

## MATRIX FINANCE CONTRACT - GOODS AND SERVICES TAX

**253. Hon LJILJANNA RAVLICH to the Attorney General representing the Treasurer:**

- (1) Does the goods and services tax apply to the lease of fleet vehicles under the Matrix contract?
- (2) If yes, what is the total cost of the GST since its introduction?
- (3) Has the Government re-signed the contract with Matrix?
- (4) If yes, when?

**Hon PETER FOSS replied:**

I thank the member for some notice of this question.

- (1) Yes
- (2) From 1 July to 15 September 2000 the goods and services tax paid on the lease of vehicles was \$907 791.62. This amount is fully recoverable as an input tax credit.
- (3) The existing contract remains on foot. Negotiations with the parties on a restructure of the arrangement are advanced.
- (4) Not applicable.

## DERBY TIDAL POWER, TOURISM POTENTIAL

**254. Hon N.D. GRIFFITHS to the Minister for Tourism:**

- (1) Has an assessment been carried out by the Government of the tourism potential of the Derby tidal power proposal?
- (2) If yes, why has the result not been made public?
- (3) If no, is that because of division in government ranks on the issue, or is there another reason; if so, what is that reason?
- (4) Given that he is responsible for the Tourism portfolio, where does the minister stand on the issue?

**Hon N.F. MOORE replied:**

I would like to stand on a few issues.

- (1)-(4) No assessment has been made of the tourism potential of a tidal power station because we do not have one. The Government is going through an appropriate process to determine the best way to deliver power supplies to the west Kimberley region. If the Opposition believes we should say that a tidal power station is to be built regardless of the proper tender processes, it should say that. It is very much a bandwagon routine with the Opposition: It sees something that appears to be a good idea and runs with it. The Government is following the appropriate procedures, and those procedures will determine the result. If members opposite think it should be done differently, they should tell the world that they do not support the tender process.

Hon Kim Chance: We are on the same side as Wilson Tuckey.

Hon N.F. MOORE: That is interesting.

Hon Kim Chance: He is my federal member.

Hon N.F. MOORE: If a tidal power station were built in Derby or somewhere else, the Tourism Commission would look at its potential as a tourist attraction. However, because we do not have one, there is no point in conducting an analysis.

Hon Ken Travers: Why did you do an analysis of the convention centre when we did not have one?

Hon N.F. MOORE: Because we decided to have a convention centre to accommodate the needs of the tourism industry. We are talking about a tidal power station designed to deliver power, not tourism. The prime aim is to build a power station in the west Kimberley. Its current service is run down and dilapidated and needs replacement. Surely members opposite applaud that move. If we build a tidal power station, we will see what sort of tourist attraction it is.

**ADDRESS-IN-REPLY***Amendment to Motion*

Resumed from 19 September, after the following amendment had been moved by Hon Kim Chance -

And further, regrets to advise Your Excellency that the Court Government is failing to give adequate resources and support to cope with the health and medical needs of the residents of metropolitan and regional Western Australia.

**HON J.A. SCOTT** (South Metropolitan) [5.32 pm]: I understand that I can speak generally because I have not spoken in this debate previously.

The PRESIDENT: That is correct.

Hon N.F. Moore: Let's have a vote on the amendment and get it out of the way. This is dopey.

Hon J.A. SCOTT: If I were to amend the Address-in-Reply to the Governor's speech, my amendment would not deal with the question raised by Hon Kim Chance. I would move an amendment about the Government's obsession with making short-term gains at the expense of the future.

Hon N.D. Griffiths: Unfortunately it has few gains to show.

Hon J.A. SCOTT: We have no better example than the current fuel crisis. Members of the Government and the Labor Party are running around like chooks with their heads cut off. Government members are trying to blame either the Organisation of Petroleum Exporting Countries or the oil companies, and Labor members are blaming the GST.

Hon Barry House: What would you do? You would double the price of fuel.

Hon Ken Travers: He wants a pushbike allowance for members.

The PRESIDENT: The member has spoken for less than a minute. Members should give him a bit of time before interjecting.

Hon J.A. SCOTT: The real crisis is that the world's oil supplies are dwindling and investment in infrastructure over the years has been minimal because of the low price of crude oil. The price for West Texas crude hit a 25-year low at \$11 a barrel. That was the beginning of a cycle that led to minimal investment. It will now take at least 18 months for the infrastructure - that is, the refining and drilling capacity - to get back on track to take up the slack in demand.

The downturn in the Asian economies has also been a factor because it resulted in a lower demand for oil. Therefore, as the Asian economies pick up, the oil suppliers will be hard pressed to meet the demand. By that time, supplies in some countries will have peaked and be going into decline. We will not see a marked change in the trend line of oil prices in the world no matter what we do with taxes or infrastructure. We must prepare ourselves for a different world - one in which we are more careful with our energy supplies. We need policies, especially during the transition period, to deal with this serious problem. It is already creating a great deal of discomfort to many people. It will be especially difficult in a State such as Western Australia, which has remote communities and an economy that is heavily dependent on energy supplies. I condemn the Government for not establishing concrete measures to deal with this situation.

We must plan for a future with low oil supplies and more expensive energy. Unfortunately, the Government's energy policy appears to involve using and selling our energy supplies as quickly as possible. There is no tomorrow in these plans. I do not know whether the Labor Party has a strategic energy use policy. If we do not develop those policies, we will see huge disruption in the economy and social structure of this State.

We must establish which activities waste the most oil in the State. Conversely, we must also determine the most important areas to which our oil supplies should be directed and alternatives we might put in place. It is easy to identify the most wasteful resource: Private car use, which is exacerbated by poor city planning. Most car use occurs in the city. Each car on a city trip contains an average of 1.3 people. Private car use is less energy efficient than bus or rail transport. Transport planning needs to be redirected away from urban highway construction, which is occurring all over the city. Wasteful projects are also taking place in some country areas, when the Government should simply upgrade the severely damaged, existing roads. We must identify the most important industries and users of energy in this State. Agriculture is totally energy dependent. There are not many alternatives when harvesting a paddock or delivering wheat to a silo than to fill an engine with diesel or petrol.

Hon W.N. Stretch: The farming sector has taken major steps in getting more efficiency from a gallon of fuel. No till and minimum till has made a massive difference to the amount of fuel used and the effectiveness of the agricultural industry.

Hon J.A. SCOTT: I am not criticising the agricultural industry, but we must identify to where future energy supplies should be directed. Agriculture is one of the most important industries, and we must ensure we do not waste our energy resources by driving around urban areas in private cars. We will need fuel for not only tractors and cars, but also fertilisers. Nitrogenous fertilisers come from natural gas. It has been estimated that nitrogenous fertilisers produced from natural gas have enabled a one-third increase in the world's population. The planet's population is 6 billion. If one-third of the population exists only because of nitrogenous fertilisers, and if no alternatives have been found by the time that gas runs out in 50 years and the population has increased to 9 billion, 6 billion people will die from starvation. That disaster will be passed onto future generations and we should start planning now to avoid it. Yet, the Government is doing nothing to deal with those sorts of problems. There is no forward planning.

We must also look at the freight transport issues in this State. Our industries, small population and remote communities leave us with no option but to freight goods over great distances. We must identify ways in which that can be managed more efficiently. Clearly, the greater use of rail is one option. During debate on the sale of Westrail, I said there would

be a natural upsurgeance in the use of rail because energy prices would rise. Energy prices have risen earlier than I imagined. I predicted it would happen in a couple of years, but it happened almost immediately, even before the sale of Westrail freight. We must ensure a greater extension of rail services than that planned for in the past. As hard as it is for the truck drivers who are struggling to make a living within the narrow margins on which they operate, the realities of energy supplies mean we must begin using more efficient transport methods. Trucks are not one of those, partly because the building and upkeep of roads is energy intensive. We also need to maintain energy for key services and industries, such as water supplies and household energy. A great deal must be done to reduce fuel use in this State, yet we appear to be doing the reverse. Everybody is familiar with the anthem of the former Minister for Transport, Eric Charlton: Fix Australia, fix the roads. I think "fix" could be replaced with another f-word, because if we continue, as Eric wanted, to build major roads that encourage a greater use of road trains in urban areas in which rail is a viable alternative, great damage will be done to those roads, which will represent a huge increase in energy use. We will be in big trouble if we do not rationalise the way goods are freighted in the country.

I again remind members that Western Australia is probably one of the worst places in the world for conserving energy because of its huge distances and the types of industries on which the economy is based. Agriculture and mining are energy-intensive industries. Many other industries do not require high levels of energy, and there are many ways in which the mining industry could rationalise energy use. We should look closely at whether it is worth continuing to base this State's economic wellbeing on those types of industries. We must develop an industry policy based on low energy use and look at ways to encourage new types of industries that are far less energy hungry. That would have additional advantages, as this State is already exceeding its greenhouse emission levels, which could blow out of the water any chance the nation has of meeting its future greenhouse responsibilities. Recent moves by the State Government indicate that it is not concerned with reducing greenhouse emissions. It was recently stated that the Government would exempt the gas industry from inclusion in the greenhouse emission equation because gas produces far fewer greenhouse emissions than coal. The rationale was that sending gas around the world and using it ourselves would reduce greenhouse levels. There appears to be - I hope I am wrong - no understanding that some of the gas fields contain large stores of greenhouse gases in the aquifers from which natural gas is extracted.

For instance, between 19 and 21 per cent of carbon dioxide comes out with the natural gas in the Gorgon field. At this stage the developers do not know how they will deal with that additional gas. On its own, that gas would produce more greenhouse gas than the whole of New Zealand and it would easily wipe out the 8 per cent increase that we in Australia are allowed under the Kyoto agreement.

It is easy for the Government to make these statements that, when burnt, gas produces fewer greenhouse gases than does coal. However, we must look at the whole picture, and when we do we find that it is not the case. Australia will not get away with this; if it keeps this up it will cause sanctions to be brought against this country. We must be serious about this issue, because greenhouse gases are a real problem. We have already seen one island to the north of Australia go under water, and other low lying islands to the north of this State are threatened with inundation if we experience further ocean level rises.

Hon W.N. Stretch: Which island was that?

Hon J.A. SCOTT: Unfortunately, I cannot remember the name.

Hon N.D. Griffiths: Kiribati?

Hon J.A. SCOTT: I think that island was under threat. It might have been one of the islands near Kiribati. A number of members of Parliament from that region were in this Parliament approximately 18 months ago and they were very concerned about this issue. Since their visit one of those islands has been inundated - it has gone underwater and disappeared.

Hon W.N. Stretch: The people from Kiribati were very concerned, but I do not think the situation has got much worse.

Hon J.A. SCOTT: There is also the problem of climate change. There is a gradual spread of tropical diseases in Australia which will begin to cause problems further south, and that has been tied to climate change. We in Western Australia are suffering a loss of coral reefs as a result of ocean warming. Global warming is creating significant problems, not the least of which is desertification, and that is moving further south in Western Australia. We really must take this issue seriously.

Over the past couple of years Australia has recorded its strongest ever cyclonic winds, even stronger than those in other parts of the world, including tornados and hurricanes and the worst storms that have been recorded in Europe. The climate change is real and it is happening right now. Another effect of climate change that should be looked at closely is referred to in some of the more recent information from the United Kingdom which states that the Amazon rainforest will die off within the next 50 years due to climate change. That, of course, threatens our forests here in Western Australia. I find it interesting when I hear the Liberals for Forests saying that they will support government policies on all things except forests. If they were to follow government policies, which are all for greenhouse production and therefore climate change, we would probably see the destruction of our south west forests faster than as a result of the woodchipping process.

Hon W.N. Stretch: You are drawing a long bow.

Hon J.A. SCOTT: I do not think I am drawing a very long bow at all. Our south west forests are very vulnerable to climate change. The tingle and karri forests in particular are from a different climate period. They are struggling to cope with the climate change we have had already because of continental drift, and those forests do not need a great deal more change to start feeling the effects of global warming. There is also a fairly strong line of thought that dieback in our south west forests has been enhanced by the climate change since the clearing of agricultural areas. We have seen a 20 per cent reduction in rainfall in the wheatbelt and a corresponding increase in the areas that are still forested in the south west of this State.

Hon W.N. Stretch: Which dieback are you referring to?

Hon J.A. SCOTT: Jarrah. Different diebacks affect different plants. One line of thought is that opening up forest areas with clear-felling creates a rise in water levels, and warmer climates are more supportive of fungus.

Hon W.N. Stretch: I do not think you are right. Those heavy rainfall areas are well drained and the water gets away quickly. In the wheatbelt, with drier varieties of dieback, you might have a point.

Hon J.A. SCOTT: It was not my hypothesis, it was a scientific hypothesis by a scientist who worked in the area, and he indicated there was certainly that sort of change. A whole raft of changes is occurring in our ecological system of which we need to take serious note.

There are some simple things we can do about this, as I have already pointed out. We must move more towards providing public transport instead of more highways. We must also change our bureaucracies, because one of the major problems with excessive highway construction in this State arises due to the shape of the bureaucratic system. Main Roads has its own funding base rather than being a subset of the Department of Transport. I believe we should quickly relocate Main Roads as a subset of the Department of Transport. I would also like to see the Department of Transport as a subset of the Ministry for Planning, so that we could have overall planning. We could look at transport in conjunction with accessibility and then we could have an option of different transport types and that would be funded not directly to Main Roads but through the Department of Transport. It seems to be a hard thing to achieve at the moment, but it is very important that we do so if we are ever to make sensible changes in this State.

We will have to look at transitional fuel to a much greater extent, even though we must be very careful about those greenhouse emissions that are coming from some of the gas fields in the north of this State. We must find a much greater role for compressed natural gas in the future.

*Sitting suspended from 6.00 to 7.30 pm*

Hon J.A. SCOTT: Before the dinner suspension I was talking about the failure of this and previous Governments to develop a strategic energy use policy to guide this State into a future in which we will have diminishing hydrocarbons and difficulty maintaining our economy. I discussed the wasteful use of energy and possible solutions. One solution would be to ensure that industry policies help us to move towards low energy use. I am not suggesting that we give up everything we have today, but we must be careful not to encourage industries that use large amounts of energy, such as aluminium smelters, as we have done in the past.

We should look at what has happened in other places in the world. Al Gore, the Vice President of the United States, has pointed out that the green industries that have sprung up have generated more jobs in recent years than were generated during the industrial revolution. Therefore, we will not be causing problems if we encourage sustainable energy industries. In fact, we can improve our economy as the United States has done by encouraging the establishment of sunrise industries that involve new communication, telecommunications and computer technologies.

This Government can point to few examples of policies designed to control energy use; in fact, its policies have encouraged the reverse. Recent changes to energy-related legislation in this State have put our energy producers in competition with one another. Rather than conserving resources, they will be competing to see who can sell the most energy and be the most profitable. That is a terrible strategic mistake. It may bring short-term gains, but in the long term it will be a disaster.

The Government has implemented programs designed to save energy; for example, the so-called green power scheme. Under that scheme, alternative energy users pay more for their power than those who use polluting power. That is back to front. We will not attract much investment in alternative and sustainable energy forms in this State if that is how the Government intends to move forward.

Hon N.D. Griffiths: Why do the Greens (WA) not support the tidal power proposal?

Hon J.A. SCOTT: It will not prevent the production of greenhouse gasses. Recent studies have shown that tidal dams cause more greenhouse gas because of the methane produced by rotting vegetation in the river systems. It is not an effective way to reduce greenhouse gas. The tidal power scheme has other advantages for the local community involving recreation and other spin-offs, and they should be considered. However, more economically and environmentally sound measures can be promoted by spending that money elsewhere.

Hon M.D. Nixon: Would those mangroves rot in the water anyway?

Hon J.A. SCOTT: We are not necessarily talking about mangroves. Research conducted around the world indicates that when flooding occurs in areas not normally covered by saltwater, the vegetation dies off and creates methane.

Hon M.D. Nixon: Does the same thing not happen on every valley floor?

Hon J.A. SCOTT: It certainly does when permanent flooding occurs and the vegetation is killed.

Hon M.D. Nixon: What about the effect of rainfall on forest floor litter?

Hon J.A. SCOTT: A mulching process deals with that in a completely different way. While some methane is produced, the growing forest counteracts it; it is not the same problem.

The Minister for Energy's energy-saving ideas are poor. They show a lack of understanding of or a general concern for greenhouse issues. They are tokenistic in the extreme.

A private group has a proposal to burn chicken manure to produce energy to eradicate stable fly in parts of the northern suburbs. Unfortunately that proposal is not the most effective solution. The best technology is a hydrolysis system that does not use oxygen or produce CO<sub>2</sub>. The current proposal involves the use of significant amounts of nitrous oxide. I am not sure how that will survive any environmental assessment process. It would have been much better to turn that material into compost - it would have caused far fewer air pollution problems in an urban area.

The most significant changes that could be made relate to planning. If we were clever with our planning, we could greatly reduce the need for people to travel. We could also limit the amount of land swallowed up by urban sprawl. Unfortunately, courage is required to take on the sacred cow of opening up more and more frontiers in the urban area.

Hon B.K. Donaldson: Thank heavens for our infill sewerage program, which allows inner-city and high-density housing to be developed. How about giving some praise for a change?

Hon J.A. SCOTT: In reality, the problem with the urban sewerage program -

Hon Ken Travers interjected.

Hon J.A. SCOTT: Does Hon Ken Travers want to have a go? The problem with the urban sewerage program is that it is highly energy intensive. In fact, only secondary treated sewage is pumped into the ocean. It is not a great system. There are far better systems around the world than the one being used in Perth. They are less expensive and more local, so that sewage is not transported for hundreds of miles through massive underground pipes, which cost an absolute fortune and a huge amount of energy to put in place. There are better ways to do it.

Hon Bob Thomas: Like my tree farm sewerage system in Albany, about which I managed to convince the previous government.

Hon J.A. SCOTT: Was that Hon Bob Thomas' proposal.

Hon Bob Thomas: Yes.

Hon J.A. SCOTT: Good. There are better ways to do it. It is better than pumping the sewage into the river, as happened in the past. However, it is certainly no boon to the greenhouse effect.

Another point is that the Government is not tackling the issue of integrated land use to increase accessibility and to conserve some of our best horticultural areas. The horticultural industry is being pushed further out, away from good land. That means more transport is required.

Hon Ken Travers interjected.

Hon J.A. SCOTT: There is a significant amount of land in the Swan Valley, Spearwood and other areas. It has already happened in Wanneroo. The horticultural industry is further away and more transport, etc, is involved. With integrated land use, people are close to everything they need. If we are to provide accessibility, we should try to have a more holistic community so that people do not have to travel to obtain goods. That means that those goods should be within easy reach. By segregating our city into urban, commercial and industrial areas, the need for unnecessary travel is being created. That must be looked at in a serious way - not the way it is being looked at now.

Another issue on which the Government has failed is the southern rail extension. The Government has chosen the cheapest path; that is, the old freight route, which was located around the bottom of the city when trains were fairly noisy and smoky. It was put there to avoid the population centres. Therefore, the Government's southern rail link will avoid the populated areas. That does not make a lot of sense. With the current fuel crisis, it is time to start thinking about getting passengers onto these trains because that is the idea of them. I just thought I would send that message to the Government: The idea of urban passenger trains is to carry passengers.

Hon Derrick Tomlinson: Where would you put it?

Hon J.A. SCOTT: Straight down the freeway.

Hon Derrick Tomlinson: Where would it go? It would go down the freeway!

Hon J.A. SCOTT: Obviously, it would go through South Perth.

Hon Derrick Tomlinson: Over the Narrows?

Hon J.A. SCOTT: Either over it or under it. People like Jeff Kenworthy have told me that tunnelling technology is becoming so good that, rather than buying land - not so much land has to be purchased when underground tunnelling is done - the tunnelling can be done almost as cheaply as locating the railway on the surface in a built-up urban area.

Hon M.D. Nixon: The Graham Farmer Freeway has been -

Hon J.A. SCOTT: Of course, that is not a tunnel; that is a trench with a lid on it. I do not know whether he meant that as well. The only problem with the Graham Farmer Freeway is that it is another exercise to encourage more vehicle traffic, and that is exactly what we do not want.

Hon B.K. Donaldson: It has saved travelling time. People are travelling shorter distances to get to their jobs.

Hon J.A. SCOTT: I think Hon Bruce Donaldson has probably heard me say a hundred times in this place that the thing about building major new roads is that new traffic that did not exist before is created. That happens everywhere in the world, including Australia. It is estimated that an extra 30 per cent of traffic is generated. By building those roads, that extra traffic is being created.

Hon B.K. Donaldson: Wouldn't you like to have traffic flowing rather than it being stop-start? Let's face it, flowing traffic does not cause half as much pollution as a car idling in a parking lot.

Hon J.A. SCOTT: There is no stop-start traffic when there are really good light rail systems and good bus services, because not too many private cars are encouraged to travel into the centre of the city. Apart from that, all of Perth's planning has been completely messed up anyway, in the sense that people have been encouraged to live outside the city. On the riverside where the population should be located, we have massive parking areas. People would not have to travel in and out of the city if they lived in the city.

Hon B.K. Donaldson: First, we had to put in place the infill sewerage program. We cannot have sewage flowing into the Swan River like it did under the previous Government.

Hon J.A. SCOTT: I was not talking about pumping sewage into the river; I was talking about inner urban living, with sewerage systems. Things have moved on since Koorda.

Hon B.K. Donaldson: Koorda had a very good sewerage system.

Hon Ken Travers: You have a fixation with this subject, don't you?

Hon B.K. Donaldson: It was a good sewerage program up there. We built it ourselves.

Hon J.A. SCOTT: With the southern rail extension, the Government is now even trying to not put a link through Rockingham. This plan completely ignores the whole purpose of a passenger rail system, especially when one considers that a huge percentage of the people who travel on the freeway into Perth every morning come from suburbs immediately adjacent to the south of the river, and the greatest traffic flow is in fact east-west, not north-south. Hon Bruce Donaldson will probably do something about that when he becomes Minister for Planning. When one considers that only about 20 000 of the vehicles that travel over the Narrows Bridge each morning come from south of South Lake, one can see from where in the southern regions most of the traffic into Perth originates. The vehicles travel east-west on South Street, Canning Highway and Marmion Street, etc, move onto the freeway and come into the city. If we are to do something about reducing car travel, we must get those people out of their cars and onto public transport. The way to do that is to provide a system to cater for those people, not to have a train service that goes through Jandakot, past Cannington and through a lot of unpopulated areas, so that people are required to drive back to catch a train which does a big circle around the city and which takes them twice as long to get there. This is the most ridiculous, stupid decision that has ever been made in planning.

Hon Derrick Tomlinson: Have you been to Cannington lately?

Hon J.A. SCOTT: Yes, I go there often. I know that the Government wanted to put housing on top of the Jandakot water mound. I also know that it would like to put housing close to the Jandakot Airport and that it has made mistakes in the past in that way. However, those areas will not be built upon in the future because they are inappropriate development areas, and the member knows full well that that is the case. It is ridiculous to hope that that will ever be done. The sensible thing would have been to put the train line in an area where it will attract people, not in an area where it will cost less, or through a Liberal electorate - whatever the reason was for doing it that way.

Hon Derrick Tomlinson: After you have taken the railway line underneath the Narrows, where do you go then - straight down the freeway?

Hon Bob Thomas: That is what Richard Lewis said.

Hon J.A. SCOTT: The line should go straight down the freeway.

Hon Derrick Tomlinson: Where should it turn right?

Hon J.A. SCOTT: I do not know whether it should turn right. Feeder services could be provided with light rail systems down the coast.

Hon Derrick Tomlinson: Trams!

Hon J.A. SCOTT: Not trams; hybrid rail links. I know that Hon Derrick Tomlinson does not have much knowledge of these things.

Hon Derrick Tomlinson: No, I do not. Enlighten me.

Hon J.A. SCOTT: I can enlighten him by asking him to go to Melbourne and jump on the St Kilda light rail system. Then he might learn a thing or two.

Hon J.A. Cowdell: He is beyond enlightenment. Do not worry.

Hon J.A. SCOTT: Yes.

Hon Derrick Tomlinson: I am the way, the truth and the light.

The PRESIDENT: Order!

Hon J.A. SCOTT: The only thing the member forgot to add is that he is also the noise. That probably describes him rather more adequately.

Hon Derrick Tomlinson: When you get zapped, do not blame me.

The PRESIDENT: Order! This is meant to be a serious debate. If members do not find it serious, they should step outside into the courtyard, have a cup of coffee and talk about whatever they want to talk about.

Hon J.A. SCOTT: I want to talk about the planning process in the Wattleup-Hope Valley region and the Government's proposal to use the strategic development label to foist planning proposals on people without providing adequate assessment processes. A number of scandalous decisions have been made affecting that area, particularly the motorplex project which is to be built next to Medina.

Hon N.F. Moore: Built where - Medina?

Hon J.A. SCOTT: It is not very far away from Medina, which is a suburb of Kwinana and probably one of the closest to the motorplex. It has been very hard for the Government to get anyone to sign off on the individual risk management proposal that it must have for the area. My understanding is that it is still outstanding because the officers of the Department of Environmental Protection have been refusing to sign it. I have heard that a particular officer offered to resign rather than sign it because the person knows full well that the individual risk criteria cannot be adequately met in the area. We know how hard the Government has tried to avoid an assessment of the project by calling it a public works even though it is being built for two individuals and there have been some nice deals for taking over the Ravenswood speedway.

Hon N.F. Moore: What about the thousands and thousands of people who want a speedway? You are ignoring them completely.

Hon J.A. SCOTT: They can have the speedway if the Government puts it on a site where people will not be blown up or poisoned.

Hon Peter Foss: That is rubbish.

Hon J.A. SCOTT: It is not rubbish at all.

The PRESIDENT: Order, members!

Hon J.A. SCOTT: The truth is that the speedway cannot comply with the normal noise regulations. The minister will have to override those. Let me hear the Attorney General deny that.

Hon Peter Foss: Was I looking as though I was about to deny it?

Hon J.A. SCOTT: No.

Hon Peter Foss: I was trying to ignore you. Stop provoking me.

The PRESIDENT: Order!

Hon J.A. SCOTT: Two people have been able to get to manage the speedway without any public process. No-one else has been allowed to be involved in this. There has been no tendering process -

Hon N.F. Moore: There has.

Hon Peter Foss: Who is managing it?

Hon J.A. SCOTT: Gary Miocevich and Con Migro.

Hon Peter Foss: They are not managing it.

Hon N.F. Moore: How do you know they are managing it?

Hon J.A. SCOTT: Because I asked questions of the minister and other ministers in this place. That is what I have been told.

Hon Peter Foss: It is being run by a trust. You are probably lying about the answer, as you did about the national parks.

Hon Ljiljanna Ravlich: Hon Jim Scott is on to something.

Hon J.A. SCOTT: I know. That is why they are jumping.

Hon Derrick Tomlinson: You've got Ljiljanna; you are away.

The PRESIDENT: Order! One at a time. If Hon Jim Scott addresses me and, as someone said, does not provoke others, they will not interject.

Hon J.A. SCOTT: Thank you, Mr President; I will certainly try to do so as my time is starting to slip away.

The answers I have indicate that Mr Mioceovich and Mr Migro will be licensed to manage or operate the motorplex. From my investigations I have found that no-one else has been given the opportunity to get licences at this point.

Hon N.F. Moore: Who else wants to run drag racing?

Hon J.A. SCOTT: Someone wanted to build a speedway there prior to this project but his project was knocked back by the Western Australian Planning Commission, which is now saying that this is a reasonable project even though at that time it said it was an inappropriate land use in that area. At that time, when the wrong people put up their hands to build a speedway, they were not given approval and were told that it was an inappropriate place in which to build such a facility. However, when the right people put up their hands, everything is changed so that they can get what they want, and the motorplex is called a public works even though it is for the benefit of two people.

Hon N.F. Moore: That is not true and you know it.

Hon J.A. SCOTT: It is true and I do know it.

Hon N.F. Moore: You should bother to find out the facts before making such a silly statement.

Hon Ken Travers: The member is hitting a sore place.

Hon N.F. Moore: It is a conspiracy theory. We will all be dead tomorrow the way he is talking.

Hon Ken Travers: It is all a plot.

The PRESIDENT: Order!

Hon J.A. SCOTT: It is hardly a conspiracy theory when I have documentation -

Hon N.F. Moore: Here we go.

Hon Peter Foss: You have papers, do you?

Hon J.A. SCOTT: No, I have documents that had to be obtained through a freedom of information application because of the secrecy and unaccountability of this Government. The documentation shows that untruths have been told about this project. That can be easily proved. I can put that documentation in front of any minister and he can show me how it is not correct. I know he would not be able to do so because the documentation is quite damning.

Another issue of great significance which has not been handled particularly well is salinity.

Hon Derrick Tomlinson: Did you say senility?

Hon J.A. SCOTT: Certainly Hon Derrick Tomlinson is not handling senility very well.

Hon Derrick Tomlinson: No, no, no!

Hon J.A. SCOTT: Yes. We have heard grandiose promises about hundreds of millions of dollars to be spent on addressing salinity but it turned out that that money was spent before the Federal Government said it would give it, which of course it did not. A pittance has been put into a major problem, which is far more important than motorplexes, belltowers and trying to get projects like Jervoise Bay going. That sort of money pumped into doing something about salinity would have given far better value to this State.

I missed something I wanted to say about planning; that is, there is great dissatisfaction in this State with the planning processes. People feel more and more alienated from the processes.

People believe that the so-called consultation processes of the Government are a farce. They want to get back some third party rights of appeal on a range of planning decisions. Those rights have been taken away by this Government. They also want the Government to make a real attempt to bring back something along the lines of the social impact unit that existed years ago and that looked at the right of communities to have things done in a way which was of value to them - rather than, as now, to meet the vested interests that seem to be running things. Third parties should have the

right to appeal on rezoning matters and should have a greater ability to have standing in court procedures on matters of community importance.

Mobile telephone towers are causing a great deal of concern in the community. One.Tel Limited intends to put about 150 phone towers around the urban area in the next two years. The Federal Government has made a terrible botch of the legislation for phone towers, and this State Government, and the Opposition, should put some pressure on Canberra to give the States the ability to set up a proper planning process to gain greater control over the placement of phone towers. Perhaps we could incorporate into town planning schemes a community process in which the telecommunications people could examine the technical requirements; and, following consultation with the community, appropriate areas could be selected so that we had a rational way of dealing with the placement of phone towers rather than the mad race that is taking place between the various phone companies to find the best sites to obtain maximum coverage. There are no local or state powers to control the placement of phone towers, and it is time the State Parliament let the Federal Government know that people are not happy about the way phone towers are being placed in the community. The Greens (WA) believe local governments should have the power to designate in town planning schemes where phone towers can be placed. Until we have something along that line, we will continue to have a battle in community after community to prevent phone towers from being set up beside schools, etc. The jury is still out on the effect of phone towers on people's health, and there are varied descriptions about that. I support the motion.

Debate adjourned, on motion by Hon Muriel Patterson.

### ELECTORAL AMENDMENT BILL 2000

#### *Committee*

Resumed from 19 September. The Deputy of Committees (Hon Derrick Tomlinson) in the Chair; Hon N.F. Moore (Leader of the House) in charge of the Bill.

#### **Postponed clause 62: Part IIIA inserted -**

Progress was reported after the clause had been amended.

The DEPUTY CHAIRMAN: The amendment shown as 14/62 on Supplementary Notice Paper 11-3 is a clerical amendment that does not require a motion of the Committee and will be dealt with by the Clerk.

Hon N.F. MOORE: I move -

Page 46, line 23 - To delete the line.

Page 48, lines 15 to 18 - To delete the lines.

Page 48, lines 19 and 20 - To delete "if the application is for a party that is not a parliamentary party -".

Amendments 13/62, 15/62, 16/62 and 17/62 relate to the issue raised by Hon J.A. Cowdell in respect of the activities of Mr Oldfield in the New South Wales Parliament. These amendments will mean that in future no member of this Parliament will be able to register a political party by virtue of being a member of Parliament, and registration of new parties cannot be achieved without a list of 500 members who are electors. The Bill will ensure that political parties represented in the Parliament on 14 June, when this Bill was introduced, will automatically be registered under the grandfather clause in proposed new section 62I. We do not believe anybody in this Parliament would do the things the New South Wales member has done; the provisions are to ensure that they could not happen if somebody had that view in mind. These amendments will remove any Etteridge clause from the Act.

Hon Norm Kelly: Oldfield.

Hon N.F. MOORE: Excuse me, I am being unfair to Mr Etteridge, although I think they both have a similar view on these matters.

Hon J.A. COWDELL: I support these amendments as they appear adequate to prevent the sort of activity undertaken by Mr Oldfield. Interestingly, these amendments go some way in covering the concerns expressed by Hon Mark Nevill. One could call them a half-Nevill amendment. Indeed, they put Western Australia into a position that appears to be the direction of other state jurisdictions of not allowing a backdoor method of party registration, by establishing a requirement for a minimum of 500 members which applies equally to all parties. Of course, that regime comes into force after the initial registration of political parties that are registered by virtue of their representation in this Parliament. The Labor Party supports the amendments on the basis that they appear to overcome a problem that could arise and that has arisen in another State.

#### **Amendments put and passed.**

Hon N.F. MOORE: I move -

Page 52, after line 25 - To insert the following new subclause -

- (2) Subsection (1) only applies to a political party if the party was in existence on 14 June 2000 and at least one member of the party was a member of the Assembly or the Council on that day.

**Amendment put and passed.**

Hon N.F. MOORE: I move -

Page 54, after line 13 - To insert the following new subclause -

- (6) The Electoral Commissioner may refuse to register a political party if the Electoral Commissioner believes on reasonable grounds that a substantial proportion of the electors whose names are set out in the party's application as required by section 62E(4)(e) are electors whose names have also been provided to the Electoral Commissioner under this Part for the purposes of the registration or continued registration of another political party (not being a related political party).

This amendment concerns the other issue raised by Hon John Cowdell that the 500 members of one political party could be the same as the 500 members used to register another political party. It was difficult to find a drafting solution to this problem; however, this amendment is a way forward. This amendment will insert a new subsection that lists the grounds on which the Electoral Commissioner could refuse the registration of a political party. The amendment states that registration may be refused if a substantial proportion of the names provided to register a political party have already been used to register a political party. The Electoral Commissioner has been given the discretion to interpret the term "substantial". However, we have every reason to believe that he will use his discretion sensibly so that people cannot use the same 500 people to create a range of political parties. This amendment is as close as we could get to solving this problem. We do not want the Electoral Commissioner to have to inspect the names of all members of political parties. I think he will be able to see whether somebody is carrying out a rort or whether the registration is a genuine attempt to create a new political party.

Hon J.A. COWDELL: I support the amendment, as it will provide some check against potential abuse. Perhaps there are other ways of fully checking such abuse; however, this amendment provides for the Electoral Commissioner to examine the sets of names provided to him. Charging the Electoral Commissioner with checking that various lists do not contain duplicate sets of names provides a constraint against potential abuse. Therefore, I support this amendment.

Hon J.A. SCOTT: The Greens (WA) support this amendment. I am concerned about the term "substantial proportion" and wonder whether that could be legally challenged, but I support the thrust of what it is hoped will be achieved through the amendment.

Hon NORM KELLY: The Australian Democrats also support this amendment as it provides a limited form of protection against abuse of the system. However, we are concerned that the amendment does not provide uniformity across all political parties, but simply requires that a list of the names of 500 members of one political party be checked against a list of members of another political party. Of course, the transitional clauses in the Bill mean that not all political parties will be required to provide those 500 names. The Australian Democrats would prefer an amendment that would allow the Electoral Commissioner to take reasonable steps - at his discretion - to ascertain that the list of 500 names provided to him does not include members of another political party.

This amendment provides for checks against other lists of 500 voters, but it does not provide for checks of other political parties. That could easily be accommodated by including in the legislation a requirement that those 500 members include a statement, either on their application or in another evidentiary way, to show they are not a member of another political party. That will not be able to be ascertained under this amendment. Checks will be able to be made only against other lists of 500 names. When we have raised these concerns outside this place, people have said that such a provision would open up the membership lists of existing political parties for public view. My proposal would not have that effect, but would allow the commissioner to verify that the voters on the lists provided to him are not members of other political parties.

The Democrats have a statement in their application form whereby an applicant must state whether he or she is a member of another political party. Our constitution does not allow a person to become a member of our party if that person is a member of another political party. This amendment could be strengthened by doing something similar. What we had proposed, but will not move because it does not have support, was to delete some words, and after proposed section 62E(4)(e) would be the words "are electors who are not members of another political party, not being a related political party." That would leave discretion with the commissioner to ascertain that, and we believe it would make the legislation a lot stronger. I would appreciate hearing why the Government will not entertain that change to this amendment.

The DEPUTY CHAIRMAN: Before I call upon the Leader of the House, I take it that Hon Norm Kelly is not foreshadowing an amendment?

Hon NORM KELLY: Not at this stage.

Hon N.F. MOORE: The Government believes that this could require the Electoral Commission to have access to all membership lists of political parties, and that is unreasonable. It is not the business of the Electoral Commissioner to know who belongs to a political party. It could also compromise the privacy of those citizens who do not want their political memberships known to anybody. At the same time, it could create a great deal of unnecessary work for the Electoral Commissioner. The Government's proposal will to a large extent deal with the problem. There is no black and white solution to this issue.

If the member is suggesting we should have a law that says that a person can be a member of only one political party, that is an invasion of people's free choice and I would not support it. The Government does not think the Electoral Commissioner needs access to the membership list of any political party, as a general rule, in order for him to abide by the regulation the member is seeking to introduce. The Government does not support the amendment put forward by Hon Norm Kelly.

Hon NORM KELLY: First, I was not suggesting that the membership lists of political parties should be opened up to the commissioner. We would not support that. I was simply saying that I believe we could strengthen this amendment in the way I have outlined. Secondly, I was not suggesting there should be a requirement that people belong to only one political party. I make those two points so the Leader of the House is clear that what he was alluding to is not in fact the Democrats' position.

Hon J.A. COWDELL: The Australian Labor Party supports the amendment as it is. It provides for a prima facie check. It does not require the Electoral Commissioner to investigate to make sure that a substantial number of people on any list are not members of another political party. In fact, this would leave it open for the Electoral Commissioner to establish whatever test he chose. I do not believe it is the role of the Electoral Commissioner to go through every list of 500 names that he receives to establish that the overwhelming bulk of those names are in no way connected with any other political party. This is an appropriate check. It is obviously not watertight. We cannot establish a watertight system; it provides a barrier to a potential abuse, and it is only potential abuse.

**Amendment put and passed.**

**Postponed clause, as amended, put and passed.**

**New clause 30 -**

Hon N.F. MOORE: I move -

Page 22, after line 1 - To insert the following new clause -

**30. Section 22 amended**

Section 22(2) is amended by deleting "or supplied under section 112" and inserting instead -  
 , made available under section 25, provided under section 25A or supplied under section 112  
 or when information on or derived from rolls is made available under section 25 or provided  
 under section 25A

Pursuant to section 22(1) of the Act, regulations can provide for additional information, such as occupations, to be part of rolls. Also, regulations can allow this additional information to be omitted from the printed rolls or rolls used in elections.

The proposed new clause will allow the additional information to also be omitted when a roll or information from it is shown or provided to the public, parliamentary parties or members of Parliament. That is the purpose of that new clause.

**New clause put and passed.**

**Title put and passed.**

*Report*

Bill reported, with amendments, and the report adopted.

*Third Reading*

Bill read a third time, on motion by Hon N.F. Moore (Leader of the House), and returned to the Assembly with amendments.

**MINING AMENDMENT BILL 2000**

*Report*

Report of Committee adopted.

*Third Reading*

Bill read a third time, on motion by Hon N.F. Moore (Minister for Mines), and transmitted to the Assembly.

**LEGAL CONTRIBUTION TRUST AMENDMENT BILL 2000**

*Second Reading*

Resumed from 29 June.

**HON N.D. GRIFFITHS** (East Metropolitan) [8.30 pm]: The Legal Contribution Trust Amendment Bill has the support of the Australian Labor Party. The Bill seeks to amend the Legal Contribution Trust Act. I note the observations of the Attorney General in his second reading speech. The Bill provides a simple amendment to the operations of the legal contribution trust so as to enable part of the surplus, if it exists, to be provided to community legal centres for the purpose of funding legal services and community legal education. The amounts and proportion will be decided after consultation with the relevant minister and the Law Society of WA. There are a few issues that arise from this.

The inadequacy of community legal centre funding can be put squarely at the feet of the Howard Government. I think Hon Daryl Williams has been an abysmal Attorney General when it comes to funding legal aid. Community legal centres were given a reasonable deal by the former Federal Labor Government, although there have been some grants by the Howard Government. The performance of the Howard Government in respect of legal aid has been disgraceful.

Community legal centres have been crying out for adequate funding for a considerable period. The community legal centre in Northam is a prime example. The need has been identified by the Government, albeit belatedly, and that is a great thing, but it is a matter of great regret that this Government has been slow to act. I will not hold up the matter any further.

**HON NORM KELLY** (East Metropolitan) [8.32 pm]: The Australian Democrats also support the Bill. We believe it gives a better degree of security and certainty to the funding of community legal centres. It is indicative of the lack of certainty and security under which this and previous Governments have allowed community legal centres to operate. It is a pity that it is necessary that we must pass this Bill in the next few days to provide security and certainty to the community legal centres. It is a familiar story: Various non-government organisations have to hold their breath to the last minute before they get continued funding.

Hon N.D. Griffiths: The Bill does not necessarily provide for that.

Hon NORM KELLY: I realise that. It is a pity that Governments do not act in a more timely fashion. This Bill will be beneficial for the 27 centres and the one peak organisation that provide legal help and education. It provides a limited level of security for the centres and it is a step in the right direction of providing resources for the centres.

**HON DEXTER DAVIES** (Agricultural) [8.34 pm]: I thank the Government and the Attorney General for their response. They have responded to this problem in a positive way so that a much-needed service can receive funding. It amazes me that some people can find something negative to say about something that is quite positive. I thank the Attorney General for his prompt action. It is not the sort of thing that can happen instantly when it is recognised. I am sure the community legal centres will appreciate the opportunity to have access to those funds.

**HON PETER FOSS** (East Metropolitan - Attorney General) [8.35 pm]: I thank members for their support. The Bill has progressed quickly. I was approached by the Northam group just before Parliament rose for the previous session. This legislation has passed remarkably quickly. People do not always know whom they can approach and one does not always have a pot of money to use to help them. I agree that more certainty of funding is necessary. I will look into that matter to see whether it can be put in the next budget.

Question put and passed.

Bill read a second time.

*Committee*

The Chairman of Committees (Hon J.A. Cowdell) in the Chair; Hon Peter Foss (Attorney General) in charge of the Bill.

**Clause 1: Short title -**

Hon PETER FOSS: The reason we have had to move into Committee is I have a series of amendments that essentially breaks subparagraph (iv) of proposed new section 14(3)(c) into two subparagraphs to deal separately with community legal centres and their peak organisations. The peak organisation indicated to us that it was not absolutely happy with the wording. The net result is to split what is subparagraph (iv) into subparagraphs (iv) and (v). One deals with community legal centres and the other deals with the peak organisations. The wording of that is -

; or

- (v) to any prescribed peak organisation, to be substantially applied to funding the provision by that organisation of representation, coordination or support services to advance the purposes of community legal centres,

It looks like many amendments, but essentially it is to do that.

**Clause put and passed.****Clauses 2 and 3 put and passed.****Clause 4: Section 14 replaced -**

Hon PETER FOSS: I move -

Page 3, line 22 - To insert after "to" the word "any".

Page 3, lines 22 and 23 - To delete "centres or their peak organisations" and insert instead "centre".

Page 3, line 24 - To insert after "the" the words "provision by that centre of".

Page 3, line 26 - To delete "provided by such bodies".

Page 3, line 26 - To insert after "education"

; or

- (v) to any prescribed peak organisation, to be substantially applied to funding the provision by that organisation of representation, coordination or support services to advance the purposes of community legal centres,

Page 5, line 2 - To delete "and" and insert instead "or".

Page 5, line 3 - To delete "for" and insert instead "to advance the purposes of".

**Amendments put and passed.****Clause, as amended, put and passed.****Title put and passed.***Report*

Bill reported, with amendments, and the report adopted.

*Third Reading*

Bill read a third time, on motion by Hon Peter Foss (Attorney General), and returned to the Assembly with amendments.

**FOREST PRODUCTS BILL 1999***Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

**RIGHTS IN WATER AND IRRIGATION AMENDMENT BILL 1999***Second Reading*

Resumed from 19 September.

**HON KEN TRAVERS** (North Metropolitan) [8.41 pm]: When I was speaking on this Bill last night, I gave a brief overview of the history of the Bill, and I was about to start on the detail of the Bill. As members would be aware, the Bill was referred to the Standing Committee on Legislation prior to the second reading. I urge members who have not taken the opportunity to read the report of that committee to do so, because it gives a good outline of the general nature of this Bill, and I congratulate the chairman and members of that committee.

It has been said many times that the Bill seeks to modernise water resource management in Western Australia. I reiterate the comment I made yesterday that, in the main, Western Australia has responsibly managed its water resources. I have heard members on the other side comment on the amazing foresight of the people in 1914 who put this legislation in place. However, times change and there is a need to bring the Bill forward. One area that was not recognised in 1914 was the importance of the environment. This legislation seeks to make the allocation of water for the environment a key priority when determining water use. All members in this House and the wider community would support that.

The Bill seeks to implement a number of those objectives, and some of the amendments proposed by the Opposition will take that further to clearly identify rights to water and to set in place a program for water allocation planning. That is already occurring and will be formalised under this legislation. A tradeable water entitlement will be introduced, which this State has not previously seen. If one wanted to purchase land in the past, one needed to simply purchase the land. Again, it is interesting to look at the history of the dairy industry. Dairy licences originally went to the land, and were then separated from the land. I suspect that in 30 years' time we will not see deregulation of water in the same manner as the recent dairy industry deregulation, as water will be an increasingly important commodity. The value at which water is traded will rise significantly. As someone who represents the North Metropolitan Region, which

includes areas of the Gnangara mound, I am aware that land with water allocations is significantly more expensive than neighbouring land without water allocations.

The Rights in Water and Irrigation Amendment Bill 1999 will lead to the more efficient use of that water. A great example is that people will be able to come to an arrangement with their neighbour to pay a fee to obtain a portion of their neighbour's licence allocation. The person who sells that allocation will be able to use that return to put in place trickle irrigation systems, which make for more efficient use of water. As I said last night, that will create complications for the planners who must implement this legislation. Some of the technology for trickle irrigation enables exactly the required amount of water to be placed around a root system, so the opportunity for water to drain back into the aquifers will be reduced. Therefore, the calculations to be made when changing from a sprinkler system to trickle irrigation will not be simple, and I do not envy the people who will have that task.

A controversial issue in the community is private water rights. Various views are held about people's rights to water. Some people believe that if they can capture water that lands on their property, they are entitled to it. That will continue to be the case under this Bill as long as it does not diminish sensible water run-off to surrounding watercourses. Various views are held about water which flows through land in a stream or runs underneath the land, and differing views are expressed about the types of title people might hold and whether it gives them a different interest. It certainly is not a simple matter. Not many people are competent to give a definitive answer or to say that they can adequately sum up all issues surrounding people's rights. As with all rights, one must be able to clarify the difference between someone's rights and someone's expectations. People in the community have a reasonable expectation to access water passing through or underneath their property for legitimate farming uses. Undoubtedly, this Bill will provide some sense of orderly regulation. People in prized positions on water courses or aquifer systems must not exploit their situation and take significant amounts of water, thus preventing someone else within that system from utilising water to which the person would otherwise have access. Reasonable people will accept the need for an orderly system for sharing the water throughout the community. A number of trade offs were made during the compilation of this Bill, one of which concerned the renewal of water licences. Water licences are granted for a defined period. In the main, if people have been using their water sensibly, their licences have been renewed. Under the Bill, people may expect that their licences will be renewed as long as they meet the conditions. That is not an unreasonable compromise.

The issue of riparian rights has created a fair amount of difficulty. I will refer later to the use of local committees to help resolve potential disputes over issues such as riparian rights and water supplemented by irrigation or dam systems.

Concerns have been expressed within the wider community that this legislation will provide the potential for their licences to be taken away. The Standing Committee on Legislation recommended that the payment of compensation be mandatory wherever a legitimate existing use, whether licensed or unlicensed, is reduced or removed, and that the scope of exemptions from such compensation should be decided by the Parliament. No doubt a number of amendments will be moved in Committee to include the thrust of the Legislation Committee's fourth recommendation. It is fair to say that most members in this House will generally accept the recommendation. The key is that the scope of exemptions from such compensation should be decided by the Parliament. It is an issue on which we must concentrate during Committee.

The other issue that arose from the Legislation Committee's inquiry is that we should be seeking to treat both licensed and unlicensed areas in a similar manner. A considerable number of areas within the State are licensed. However, many areas, such as the south west corner of the State, where a considerable amount of irrigation or water is taken from streams and dams, are unlicensed. There was great concern that with the implementation of this Bill people would have their right to take water removed. Although those people are unlicensed, it is fair to say that they have a reasonable expectation to be able to continue to take water. It is also fair to say that, over time, State Governments of both political persuasions have encouraged the opening up and development of the south west of Western Australia, particularly the development of horticulture. Other areas have been developed, but I intend to focus tonight on the south west.

Many people have made significant investments in horticultural enterprises in the south west that rely on water from watercourses that abut their land. It would be grossly unfair if this legislation were passed and, for instance, those people were to have their water entitlement taken away from them as part of the allocation planning so that it could be given to another use. In the process of that re-allocation, water could be given to a public interest for a range of uses, such as for recreational purposes or for a town water supply. If people have made a significant investment in their property and a reduced entitlement to water would impact on their ability to run a viable operation, it would be grossly unfair for this Parliament to put those people into that position without compensation. It would be particularly unfair when Governments over many years, through Agriculture Western Australia and many other agencies, have encouraged people to go to the south west and make those kinds of investments.

It is important to ensure that the proposals in this Bill for mandatory compensation in some licensed areas are extended to unlicensed areas where people are using water reasonably and responsibly. If people are using water in a licensed area they would have a licence for it, and those in an unlicensed area could be identified under the compensation provisions. Recommendation 6 of the report produced by the Standing Committee on Legislation is an attempt to deal with that issue. It recommends that compensation be considered when people had an existing use prior to the first reading of this Bill in the other place on 30 June 1999. Obviously, if we are to extend the compulsory compensation

provisions of this legislation, it would be dangerous for any Government not to include such a clause in the Bill. If we were not to have a clause such as that, people could go to that area and speculate by constructing massive new developments. They could then claim compensation from the State if, after the planning allocation process is finalised, not enough water is available for other uses such as a town water supply and the like. The date of the first reading is a fair date at which to start for the consideration of compensation claims under the provisions of this Bill. People who had an existing use prior to that date could not have reasonably expected this legislation. However, one would hope that, since that date, people going to that area would have informed themselves about the potential implications of this Bill. It is important that the recommendation for a compensation provision in the Bill outlined by the committee be considered. Without going into the detail of the areas that need to be considered in detail when we go into the committee stage of the Bill, it is fair to say that the exemptions from such compensation should be decided by Parliament.

One of the areas we need to look at is the allocation process. I take members back to the statement I made at the beginning of my speech: When allocating water, the environment is given a high priority within this legislation. It must be put before other potential uses. It is fair to say that if water is taken for the environment, and that leads to a reduction in the amount of water that is available for other uses, we must come up with a system to ensure it is shared equitably across all users. If it is shared equitably, the need for compensation will not be as great. If one user is required to give up all his entitlement to save others from giving up any of theirs, it is only fair that that user be compensated as part of that process. When talking about compensation and these sorts of issues, we must remember that the local committees will be able to assist in this process. Again, members need only look at the committees' work on water planning for the Gngangara water mound and surrounding areas. They have been a good and effective mechanism for resolving a lot of the disputes and trying to come up with some equitable solutions for all water users.

There is no doubt in my mind that although the Bill includes some compensation provisions, there is a need for us to finetune those when we go into the committee stage. It is all about getting the balance right on these matters. The underlying principle that I will be bringing to this Bill when we reach that stage is that if people, at the request or encouragement of government, have set up a legitimate business and their ability to carry on that business in the way they were previously doing it is impeded by an action of this legislation, those people are entitled to compensation. I hope that when we go into the detail of the Bill we will be able to discuss those issues.

Another area I will touch on, and on which this Bill clearly will have an effect, is capital gains. Currently - I know there is an argument about this and the Australian Taxation Office may disagree - if people who purchased property pre-1985, which is when the capital gains tax legislation came in, were to sell their property with a water licence attached to it, their property would be more valuable than neighbouring properties without water licences attached. However, if they sold the property and its water licence, no capital gains tax would be paid. As a result of this legislation, it will be very easy to determine the value of the water component of that licence. When someone who has owned land since 1985 - the person may have been farming and using water on it since before 1985 - but was allocated a water licence post-1985, sells his land and the water licence, the licence will be given a value that is separate from the land. The Australian Taxation Office has indicated that it would then seek to apply capital gains tax to the value of the water licence, even though the person had been engaged in that activity well prior to 1985.

It is grossly unfair of a conservative Federal Government that has railed against capital gains tax for so long not to make special provision for those who can clearly demonstrate that they were using the water prior to 1985 but whose licence to use it was issued post 1985. It is fair to say that the Federal Government has been a driving force behind the reforms in water law as part of the Council of Australian Governments agreement. It clearly has an obligation to come to the party.

We can deal with leasing in the legislation, and that has been picked up in some amendments. However, I hope all members in this place, even if we pass this legislation, will continue to pressure the Federal Government to produce a more equitable solution. It is grossly unfair. Apparently the ATO claims that it would have applied capital gains tax anyway. There is no doubt that the tradable water entitlements component of this legislation will make it far easier for the Federal Government to determine the value of the water as a separate entity from the land. I accept that this legislation cannot do anything to change that; however, if it is passed, I hope all members will work together to get the Federal Government to see sense on this issue.

Water resource management committees will be formalised under this legislation. They already exist in many areas and are working well. One area of concern with this legislation is the composition and size of the committees and the areas they will cover. Those issues tend to be determined by government policy. Whoever is in Government will need to arrive at a balance between a committee which is a workable size but which has the necessary expertise and representation of interest groups to come up with good solutions. The area covered will need to be enough to provide representation and to be able to get the necessary players involved without having so many committees that they become an expensive drain on the Government. It would not matter which party was in power, if this system started to be a drain, the Government would look to the water users to pay to maintain it, and that would be a disaster. It will be a delicate balancing act. When we go into the detail about the sort of flexibility needed to provide that level of expertise, we will deal with some of the issues through amendments that will enhance the process of water management. There is

no doubt that if we can get all of the parties and groups which have an interest in water around the table and they can resolve the issues without recourse to decisions of government, it would be the best possible outcome for all concerned.

The next area that created a great deal of heat in the debate about this Bill concerned the appeals mechanisms that would be put in the legislation to deal with disputes. There was a range of views. Some people wanted everything in the legislation to be appealable. The Labor Party does not support that view. However, it believes that there is a need, particularly with the issuing of water licences, for a fair and reasonable appeals mechanism. The original proposal in this legislation was for a ministerial appeals mechanism. The Australian Labor Party has always taken the view - it has taken this view on a whole range of areas of government in recent times - that there is a need to move away from ministerial appeals and to put in place independent appeals mechanisms. We have taken the view that the appeals mechanism in the Fish Resources Management Act, for example, would be a good model to implement for appeals concerning the allocation of licences under this legislation. During the minister's response, I look forward to hearing about government commitments to processes for dealing with independent appeals. However, I realise that there are limitations on members of this House when it comes to amending the legislation.

The Standing Committee on Legislation recommended that consideration should be given to an independent appeals mechanism. There is no doubt that that should be the case. As I said, I look forward to the minister giving a commitment that the Government will proceed down that path. This has taken a fair bit of time and there has been a fair degree of argument by members on both sides of the House. It is probably fair to say that members on the other side have not spoken out as publicly as members on this side, but behind the scenes some government members - they probably do not want me to name them - have privately taken up the cause to try to get independent appeals brought in as part of this legislative reform package.

Hon Barry House: Which model do you favour?

Hon KEN TRAVERS: An independent appeals mechanism. The original model we proposed was for a tribunal of three members: One member appointed by the appellant, one by the minister and one agreed to by both parties, all of whom had, in the opinion of the minister, the necessary qualifications to carry out the duties required. I understand the difficulties with that and the desire of the Government to have a panel with a large amount of expertise. As we have worked through the changes, we have taken a positive view in trying to work with the Government to come up with a model that is independent of the Government but which also provides a sense of security to the water users so that they will have confidence that the system is truly independent and that it involves people who understand their needs and the issues of concern to them. The independent appeals tribunal must have the expertise to enable it to do the job properly. That would be one of the problems with it sitting on an ad hoc basis. We want people on it who the minister feels have the necessary qualifications. I understand that when the Fish Resources Management Act was first enacted, it took members of the tribunal, which was established under the Act, a bit of time to find their feet. When we first come to this place as members of Parliament, it takes us a bit of time to find our feet. The independent appeals mechanism must be able to allow decisions on process and merit. The scope of an appeal must be confined to administrative decisions and not policy issues such as allocation plans. The Bill contains a very good public consultation process for the development of allocation plans, which will allow the community to have its say. The provision for mediation to resolve some disputes in the appeals mechanism, which was provided for in the Government's proposals, is a very good one. It is better if people can mediate and sort out disputes before they go before a more formalised appeals mechanism.

The independent appeals tribunal will have the ability to examine and deal with issues of compensation. The committee recommends that we make sure the scope of the ability to provide compensation is fairly broad. The committee's fifth recommendation is that compensation should take the form of any land or water exchanges, financial recompense or any other mutually agreed form. With a mediation process it is probably much easier to reach agreement on other forms of compensation or arrangements that could be put in place. Such things would be far better facilitated through a mediation process than through either a tribunal or a ministerial appeals mechanism.

One of the examples that has always sprung to my mind is that some people I know who own property in the south west have given up land with conservation significance to be managed as a nature reserve. As a result they have given up their wetlands. They will probably be disadvantaged when this legislation is enacted. I hope that any system put in place to deal with water issues will recognise the fact that they have done that in the past.

Hon Barry House: Have they bought the title?

Hon KEN TRAVERS: I think they have, but I am not sure. As Hon Barry House has said, the use of planning legislation can often be very beneficial when resolving disputes. Hon Barry House has been involved with some of the issues surrounding the Busselton bypass. The use of planning orders to compensate people by allowing them to subdivide their blocks when they might not otherwise have been able to do so is another mechanism which could be used to reach a reasonable outcome with which everybody is happy. In that way, people will not feel that they have been financially disadvantaged as a result of the decisions or actions of government.

We need to strengthen the appeals mechanism process and make it independent to give some comfort to water users, so that they feel they will be dealt with fairly and in a reasonable manner. This Bill raises a range of other issues. One

issue that the committee considered is native title. The committee noted that matters of native title are appropriately governed by the Native Title Act 1993, and I think it is fair to say that this legislation will have no significant native title impact for water users.

Chapter 12 of the report outlines a number of other issues that were raised in the committee and are being raised in the wider community. One of those issues is security interests and the bankability of a licence. The time line for licences is restricted to a finite period, which I think is no more than 10 years, but, in the main, five-year licences are allocated. This legislation will give people an expectation that their licence will be renewed. I believe this legislation will improve the situation for those people, but, as is often the case with these sorts of issues, even though the new legislation will improve the existing situation, the fact that discussion has taken place has made people realise what the existing situation is.

Numerous other issues are dealt with in the committee report, and I believe most of them will be addressed in the committee stage of the Bill. The Supplementary Notice Paper has amendments to deal with an ecologically sustainable development framework, and those amendments are supported by the Government. I have not covered all those issues tonight.

Another issue that the committee looked at is speculation. The proposed amendments with regard to the compensation mechanisms will be crafted to prevent people from going into unlicensed areas and speculating. Rumours have been flying around Western Australia in recent times that the Council of Australian Governments' reforms will be brought in, and people have been trying to get their water licence allocation in place quickly because they know that if that area then becomes fully allocated, they will have a significant investment. I am still in two minds about whether that is occurring or whether many areas are naturally beginning to reach the full allocation. Significant numbers of higher valley crops have been introduced into Western Australia. The massive expansion of the viticulture industry in the south west is a classic example. I am not sure whether the rise in licence allocations has been the result of people speculating or whether it is a product of industry growth. I mentioned earlier that one of the issues different government people raised with us - we did not mention it - was the Koorian Olives proposal in the Gingin area. The Opposition applied for documents on that under freedom of information, which have only recently been received.

Hon Barry House: The freedom of information request was not related to water issues.

Hon KEN TRAVERS: The documents refer to the water allocation and licensing and relate to speculation on the Bill.

Hon Barry House: The request had more to do with management.

Hon Bob Thomas: What are you hiding?

Hon KEN TRAVERS: I have started going through those documents, and my initial impression is that the process followed adhered to the existing policies and procedures of the Water and Rivers Commission; that is, first come, first served. The first people to apply for the licence get the benefit. The Koorian Olives situation is interesting because the licence provides a 100 per cent allocation of the aquifer from which water is drawn. Under this legislation, anyone who wants to use water from that allocation will need to buy it from that company. On my initial reading of the documents, it appears that the legislation and policies have been followed. I cannot, at this stage, see anything about the process of awarding the licence that is of huge concern. Many people in the community were concerned about this because they could see that, as a result of this legislation, the company will have a significant asset once the olive groves are established and it no longer needs the same quantity of water, which will be in about 25 years. I am sure Hon Barry House will agree that that was the reason for much of the concern among the broader community.

Hon Barry House: I am sure your interest had nothing to do with the fact that a minister of the Crown is a shareholder.

Hon Kim Chance: It hadn't even been mentioned.

Hon KEN TRAVERS: No, I had not mentioned it. Hon Barry House raises an important issue relating to this legislation that the Government must explain.

Hon Barry House: I am pleased to hear you say the process is good.

Hon KEN TRAVERS: I said it was good, on my initial reading of the documents. I have been reasonable.

I have outlined the fact that, at least on initial impressions, the processing of the allocation has been done within the policies of the Water and Rivers Commission. This House has now accepted that under this legislation that company will stand to gain a significant benefit. Then Hon Barry House raised the fact that a minister of the Crown was a shareholder and chairman of that company. Before we pass this legislation we need to have that question clarified in case there is a suggestion that this legislation is tainted. We need to hear from the Government whether that minister absented himself from the cabinet discussions on this legislation or whether the minister actively involved himself and delayed that legislation for two weeks so there could be some changes or clarification on those issues. He was actively involved in the debate. Did the minister referred to by Hon Barry House declare an interest in this legislation when it went to Cabinet? Did he absent himself from the cabinet meetings when this legislation was discussed? Can Hon Barry House answer that question?

Hon Barry House: No, I cannot. I do not know.

Hon KEN TRAVERS: I hope the minister, who was a member of the Cabinet at the time, can give those answers.

Hon M.J. Criddle: There is no way I will be telling you what happened in Cabinet.

Hon KEN TRAVERS: Before this legislation is dealt with the people of Western Australia have a right to know from the Government what role the minister to whom Hon Barry House was referring played in the cabinet deliberations on this legislation. Is this legislation tainted by that?

Hon Barry House: Here I was thinking your intent was noble and innocent.

Hon KEN TRAVERS: Come in spinner! I want to go down this path a bit further. I now wish to refer to the prospectus and to reinforce what this legislation means for the minister. I only have a couple of pages from the prospectus that was signed by Paul Omodei as chairman of Koorian Olives, and it states that Moltoni has agreed that the bore will be available for the 25-year period of the project. One could argue that under the old legislation when the prospectus went out it was probably not even correct to make that claim, because they have a water allocation licence for only three years. As I outlined earlier tonight, this legislation will give increased security to those water users whose licence meets the conditions of the legislation and who are using it in the way it is outlined, and they will have that licence for 25 years.

Hon Kim Chance: Perhaps the chairman of the board thought the legislation had already gone through.

Hon KEN TRAVERS: One can only ask.

Hon Kim Chance: I wonder if he told the Australian Stock Exchange about that?

Hon KEN TRAVERS: That is another question, but it is not a question that I intend to deal with tonight. There is no doubt in my mind, when one looks at the whole proposal with respect to Koorian Olives, that the structure of the three companies is facilitated by this legislation. The commitment that they will have a licence for 25 years is a benefit from this licence. Under this legislation, at the conclusion of that project they will have a very valuable commodity that will take up 800 per cent of the allocation within the sub-aquifer from which they are drawing. As no-one else will be able to introduce developments, they will be very keen to purchase the water in that area at that time.

Hon Bob Thomas: What is the value of the windfall to the company?

Hon KEN TRAVERS: It would only be speculation at this stage. There are other people in that area who want to get developments up and running, but they cannot because the 100 per cent allocation has already gone. In fact, the town water supply allocation has already been exceeded. It is an interesting question. The minister has said he will not tell us what went on in Cabinet. I only ask him to tell us one thing: Did the minister absent himself from those cabinet deliberations? That is the question that must be answered. At the end of the day when this legislation passes through this House, the people of Western Australia will want to have a sense of security. It is reasonably good legislation, and they will want to know whether the minister, who will clearly benefit as a result of this legislation, made it known to his cabinet colleagues when he became actively involved in the debate. The minister raised issues on this legislation at a time when he was a director of the company. There is no doubt in my mind that the minister will reap potential benefits. The minister can indicate that he does not intend to answer tonight but I hope, during the second reading debate, that he will reconsider his position and provide some answers on who was involved at cabinet level before the legislation was introduced. The Opposition and the people of Western Australia want to know that. The matter will be pursued because people are sick and tired of not having an open and accountable government and of having legislation passed that has the potential to benefit members of the Cabinet. I would think that other members of Cabinet would want to know if a colleague were benefiting from legislation. If the minister did absent himself from cabinet discussions, one would think that his representative in this House would be more than happy to advise members of the fact. I have a strong belief that it is not the case.

This legislation will provide significant reforms that will benefit Koorian Olives, its investors and the companies associated with it. A number of other groups will also receive benefits. I stress that it is not my intention in raising this issue to attack what the company has done. It is only trying to establish a commercial development. So that a permanent smell is not attached to the legislation in the future, the House needs to know what was the role of the chairman of the company in respect of Cabinet's deliberations on the Bill. If the minister does not want to answer the question as part of the second reading debate, then be it on his head as this issue will not go away and will keep coming back to haunt him. I thought this Government would have learnt that it is better to come clean on issues early than leave them or try to cover them up. The Opposition will continue to pursue the matter.

There are some amendments on the detail of the legislation that need to be sorted out. The Opposition supports the policy and principle of the legislation but it will pursue the role of the Minister for Forest Products. As Hon Bob Thomas would know, this is not the first time questions have been asked about the minister's role in the formulation and introduction of legislation. I commend the policy of the Bill to the House.

**HON KIM CHANCE** (Agricultural) [9.38 pm]: I support the Bill. Hon Ken Travers has outlined some of the origins of the Bill, principally from the point of view of his earlier position as the opposition spokesperson on water resources.

There are other aspects that go deeper into the Bill's origin and I think it is reasonable to say that the part of the Bill that reflects the requirement to meet the undertakings made had its genesis in the Murray-Darling system. In a sense, that has set the trend of the process of this legislation. The Murray-Darling system is often said to be, and some members may even agree with the statement, the most significant environmental problem facing this country. Western Australians may be inclined to disagree on that; however, it is reasonable to say that given the number of States the Murray-Darling system influences, it is of major significance to Australia's agricultural environment. The essential difference - it is on this point that most of the difficulties of the legislation have occurred - between the Murray-Darling system and areas within Western Australia is that the fundamental problem of the Murray-Darling system is its over-allocation. I will not put a figure on it, but it is generally accepted that the Murray-Darling system is far over-allocated for the capacity of water that can reasonably be taken out of that river system for agriculture and other purposes.

It has been a major political issue in the eastern States for decades. The difference in Western Australia is that only three of our irrigation systems could be described as mature in their use; that is, fully allocated. That is partly because of their geographically widespread location, and partly because of the relatively low pressure on those irrigation systems as a result of our lower population. Apart from those three, irrigation systems in Western Australia are generally under-allocated. In a sense, we are extremely fortunate to be dealing with this legislation at this time because in spite of all the difficulties we have had, we have not had to face the tough question of what to do about reclaiming that water. We are able to appropriately deal with this legislation without having to face the trauma of reclaiming over-allocated water. That is the problem with the Murray-Darling system, which in large part was the impetus for this Bill. We are fortunate that, as a result of the concentration on the problems arising from over-allocation, we are able to deal with that question before it even arises in this State.

This Bill had a troubled birth. Hon Ken Travers has already referred to that. In part, the troubled birth arose because the Water and Rivers Commission was a relatively new agency and had tackled a task which would have been challenging even for a larger and more experienced agency. It would have been difficult for most agencies to meet the commitments given under the Council of Australian Governments' undertakings within the time lines provided, without also trying to simultaneously update the Rights in Water and Irrigation Act 1916; however, it set out to do both. It was an ambitious project. The minister and the Water and Rivers Commission had great difficulties in the early stages. It is to the great credit of the minister and the individuals in the commission that we have reached the point where we are all headed in the right direction.

We are about to legislate good law. We started off, in part, heading in the wrong direction. The process we have been through has been a good one. I believe the outcome of this legislation, depending on the way we deal with some of these amendments, will produce some very good law. For that reason I congratulate the officers of the Water and Rivers Commission and the minister on the way in which they have undertaken what has been a difficult task. I also give credit to my colleagues, in particular Hon Ken Travers and Dr Judy Edwards. I will not leave Hon Bob Thomas out of this, because in the early days it was the wonderful way he has with people that first introduced Hon Ken Travers to the problem and to the people in the south west who were affected. From those early meetings we determined that there was a path for us to work constructively with the Government on this matter. We did that from the beginning. It is in Hon Ken Travers' nature to try to solve problems rather than make political capital. It was Hon Ken Travers, not I, who had charge of the issue, and he did a very good job - as did Dr Judy Edwards when she assumed that responsibility.

The legislation is based on a concept that water is a valuable resource, and not too many members would disagree with that proposition. Western Australians are fortunate that we have been able to deal with this legislation before we had to face the problem of too many over-exploited resources. The difficulties in the issue will probably be stated over and over again. We need to recognise just what those difficulties are in Western Australia, even though I have acknowledged that we are lucky in some senses. I was only ever a second string person in this issue, but I could see even from that viewpoint that there would be massive difficulties in designing legislation that could fit as a template over such a diverse range of systems, which we fondly refer to as irrigation areas. One irrigation area is not like any other irrigation area. They spread from Kununurra to Albany, which is a big enough spread.

It is not simply the geographic spread of irrigation areas that creates that difference, but also the existence of formal and informal irrigation systems, licensed and unlicensed irrigation systems, and irrigation systems based on surface water and on ground water - in some cases both of them occur in the same area. We have public and private systems, and systems that look like miniature Murray-Darlings. We have systems in which every part of the infrastructure and the whole watercourse all the way to the watershed is owned by the person who is using the water. Some of the greatest difficulties were created in systems like that, and that first raised the question in my mind of who owns the rain. If I own the land all the way to the watershed, the whole watercourse - which may not even be a defined watercourse - is on my land, and the dam which holds the water is my dam, who is to say this is not my water? That creates an enormous difficulty. With a riverine irrigation system, such as that found in Donnybrook, for example, which has a public dam virtually at the water's head at the river, the riverbed is then used to release water downstream whenever needed. That is a fairly classic public system. It is relatively easy to determine matters of ownership and access. The differences are not geographical as they can occur within 20 or 30 miles of each other. They revolve principally around questions of how the water is contained and flows from one point to another.

Early in the process of this Bill's drafting, the Western Australian Water Users Coalition (Inc) emerged as an active and able advocate of a wide range of irrigation farmers. We are all indebted to the Western Australian Water Users Coalition for its help and guidance and sometimes fierce criticism on this matter. Its input has been of immense value in the construction of the legislation before us tonight, which is fairer and better than the original proposal. This would not have the case without the considerable commitment and involvement of this coalition.

My colleague Hon Bob Thomas has acknowledged the important part played by Mr Graham Waugh and Mr Dave Wren, who made enormous commitments of their time, resources and energy to bring the coalition together from a diverse base, and to make their points as clearly and coherently as possible. It was not an easy process to convince most of us, who do not know a great deal about how water is used, about the finer points of law involved. Having referred to the finer points of law, I also acknowledge the role played in that part of the consultation process by Mr Jack Flannigan. Towards the second half of the process, he brought a much clearer legal focus to the questions we faced. Jack's involvement in the matter made it easier for most of us to understand where we were going. The Water Users Coalition concentrated on the spread of issues which arose in the originally proposed legislation; that is, it believed that substantial changes were required.

As recognised in the report by the Standing Committee on Legislation, organisations such as the Pastoralists and Graziers Association also made valuable input. The Legislation Committee report makes reference on page 32 to the very good points raised by the PGA. The Water Users Coalition initially saw the proposed legislation as an agenda driven by the Council of Australian Governments. The Water Users Coalition saw the Bill's principles flowing from that body as an expression of economic rationalism. Most members will be aware that economic rationalism is a deeply despised philosophy in country Western Australia. It was not a good start to the legislation. It began with a severe handicap, which was not entirely warranted. The Water Users Coalition sought improved checks and balances in the legislation, and a clearer and more transparent decision-making process which could give people some confidence that the rights of current water users would be recognised, and that their right to natural justice would be guaranteed. In those last couple of sentences I expressed what I thought were the major advances through the consultation process of this Bill. They are already embodied within not only the legislation but also the amendments in the minister's name on the Supplementary Notice Paper. It is in those areas that the major improvements are proposed or have been made. At a fairly early stage, Labor accepted that the Water Users Coalition had a valid point.

We proceeded to sponsor the referral of the Bill to the Standing Committee on Legislation and I have referred to its report. That report is a credit to the Legislation Committee because its publication began a reconciliation process between the industry and the architects of the Bill. The Legislation Committee's fifty-first report highlights some of the most important benefits to arise from the committee system in this place. This legislation was saved from crashing early for a number of reasons. It was an ambitious task and perhaps a bigger task than its architects imagined it would be. It did not get off to a good start due to a number of factors beyond the control of the agency and sometimes the minister. It has succeeded due to much hard work and occasionally some good luck.

However, the fundamental changes came in two parts: First, with the minister's decision to publish a Green Bill, which finally clarified exactly what the Government was proposing. Hon Ken Travers and I were keen on doing that because it soon became apparent to us that people were trying to make decisions on positions that had sometimes changed, but of which other people were unaware. All of a sudden they were trying to understand one point of view and one expression of the Government's intention when it had already changed. There are many bush lawyers in the community, who will always attach different meanings to legislation. It was becoming a little bit messy. I certainly acknowledge the minister's role because as soon as Hon Ken Travers suggested that a Green Bill would be a good idea, the minister adopted it virtually on the spot. I appreciate the quick recognition of a good idea, even though it came from the Opposition.

The other turning point was the Legislation Committee's report. It is easy to say the report's principal benefit was in allowing people who had fundamental concerns about the legislation to at least have an opportunity of expressing those concerns. That expression is often very important. However, the Water Users Coalition performed that task so well and the Legislation Committee clearly performed its task so well that when this report was ultimately presented to the Parliament, we had gone a long way towards achieving a resolution. The key issues were finally clarified.

The opportunity to throw ideas around had been practised and people were ready to exercise their minds on how we might achieve certain things. We have a little way to go on that. We have 18 pages of amendments on the Supplementary Notice Paper. However, as we go into committee we will move through those proposed amendments quickly. If I were the Minister for Transport or the departmental advisers, I would not be concerned about the length of the committee stage.

Debate adjourned, pursuant to standing orders.

#### **ADJOURNMENT OF THE HOUSE**

**HON N.F. MOORE** (Mining and Pastoral - Leader of the House) [10.00 pm]: I move -

That the House do now adjourn.

*Cyclone Trust Fund, Onslow - Adjournment Debate*

HON TOM HELM (Mining and Pastoral) [10.00 pm]: I want to expand on the question I asked this afternoon about the events I witnessed in Onslow on Thursday night. As I said, a public meeting was held on Thursday night and between 30 and 50 people attended. The meeting was called for the town to decide what it should do about the cyclone trust fund and whether to build a seawall, to upgrade the airport or to undertake various other repairs. I did not speak at the meeting because it was not my place to do so; I simply observed.

Like others at the meeting, I wanted to know why a concept plan would cost \$93 000. The answer was that the shire paid \$63 000 and \$30 000 came from the cyclone trust fund. A person at the meeting said he was aware of the building of the first seawall in 1942. As members know, the seawall was destroyed two years ago by cyclone Vance, but it lasted 58 years. I bet there was no concept plan then - the Public Works Department simply built it.

Onslow was hammered by the cyclone about 18 months or two years ago. Since then it has gone through one cyclone season without seawall protection. The meeting was told that it could be three years before another seawall is built and the town once again enjoys protection from a storm surge, cyclone or any other natural event. I am concerned about that because I have been through the town and seen the devastated seawall and the sand dunes. I feel sorry for Onslow because, once again, it seems to be the Cinderella of the towns affected by cyclones in the north west. It usually gets a hammering but does not get the attention that places like Exmouth get. It is still waiting for an adequate response.

I also noticed that the people at the meeting were very concerned. I went through six or seven cyclones when I lived in Karratha and Port Hedland. The people in Onslow live very close to the water. The sea level rose sharply and caused trauma that they do not want to experience again. Surely something should have been done before now to give these people a main line of defence. The trust fund contains about \$400 000. A proposal to upgrade the airport was put forward. The airport is adequate for twin-engine, six-seater aircraft, although on odd occasions I have seen heavier planes land there. It has always been an inadequate airport. Although the aspirations of the people of Onslow may be to improve the airport, from conversations with people there and questions raised by them, it appears that they see little point in having a good airport if the town can be washed away by a dangerous storm surge, even without accompanying strong winds.

The people of Onslow believed the airport upgrade would come from a different fund. The State has a responsibility, as a matter of priority, to see that the people of Onslow, whose town has been moved three times in its history, have that frontline defence. I have complete faith in the President of the Shire of Ashburton, Mr Brian Hayes, who has lived in Onslow for a while and is a well-respected member of the community. The shire will meet soon to make a decision on this matter and to take on board the concerns of the people of Onslow. However, it is totally inappropriate for the people in that town, living virtually next door to Exmouth, to see a glass and steel monument at an airport that has just had its flights reduced. The Premier and the Leader of the Opposition visited Exmouth to express their concern and sympathy to the community. The town of Moora get all the assistance it deserved; however, the town of Onslow is again the poor relation. The people in Onslow must make a decision in this matter one way or another. As a community we owe it to them to provide the best defence we can possibly give them and to not talk about expensive concept plans. They need to see as soon as possible a seawall that will replace the one that existed for nearly 50 years. The \$1.7m that was recommended to replace the seawall should be provided right away and the repairs and development of the seawall should take place soon.

Mr President, I do not apologise for taking this House's time. This is an essential matter that had to be aired and I hope some action can be taken somewhere down the track.

*Technical and Further Education, College Management Information System - Adjournment Debate*

HON LJILJANNA RAVLICH (East Metropolitan) [10.08 pm]: On numerous occasions in this place I have raised my concern about the technical and further education sector. I do so again tonight in relation to a number of issues, the first being the college management information system. The system, commonly known as the CMIS, was initiated in 1995 by the Department of Training and Employment. The cost of the system has blown out substantially since that time; in fact, the total cost spent on the system is in the order of \$20m. I am concerned that the department is providing misleading information about the value of the CMIS. One of its internal documents dated 30 April 1999 clearly states -

The existing CMIS is based on a South Australian system that was implemented in Western Australia in 1995 but soon found to be inadequate for Western Australian requirements.

Functionality was enhanced through a number of locally developed modules using various . . . interface standards. This has resulted in a system that is consequently sometimes difficult to use, has trouble adapting to colleges' changing needs and also higher maintenance costs.

I suggest that these are some of the reasons that the cost of this system has substantially blown out. Originally the system had a projected budget in the order of \$5m; therefore it has blown out fourfold. Obviously, the department believes the system is no good; that is demonstrated by this internal document. Clearly it is a problem system. It has been a problem since 1995, and it will continue to be a problem. For example, the other day I wanted to access some information. I wanted to know how many students doing a four-year plumbing apprenticeship had already completed a

pre-apprenticeship. It was a very simple question. I was told that there was no way that that information could be accessed. I was also advised that the information is recorded through the training record system. I find it hard to accept that, after spending \$20m, something so simple cannot be supplied to me through the college management information system or, alternatively, through the training management system.

I put on record my disappointment at the excessive expenditure of taxpayers' money and the lack of results for that expenditure. In doing so, I also bring to the attention of the House just how silly some people within the Department of Training and Employment really are. I am not talking about the colleges; I am talking about the administration of the Western Australian Department of Training and Employment. Given the problems with this system, I find it absolutely laughable that in relation to the CMIS, the department's July-August 2000 edition of "Training Skills Jobs" reports -

It's a live system which never stops growing, never stops working and safeguards the records of all students who have studied at a Western Australian TAFE College.

It goes on to say -

Across the State, from Kununurra to Albany, CMIS manages all student enrolments, assessments, graduation details, timetables and other information vital to students and TAFE staff.

Says the Department's Manager for Delivery Support Systems John Kay: "It's as complex as a system can get, but it's highly functional and always responsive to the needs - including cultural needs - of students, staff and external clients. The people working with CMIS make sure of that, much to their credit."

That is a very different portrayal of the system from the very frank internal departmental note, which admits that there are major problems with the CMIS. The people who are putting this stuff together need to get their act together and stop fooling themselves and the minister - that is exactly what they are doing - into believing that everything is hunky-dory when the simple fact is that it is not. Unfortunately, I do not have time to go into the training records system in any detail, but I assure members that I will spend some time in the not too distant future going through it.

I will also touch on one initiative of the Department of Training and Employment, specifically in relation to the third horizon. As far as I can ascertain, the third horizon is some sort of restructure of the Department of Training and Employment. It has set itself some very high goals. The Department of Training and Employment in Royal Street has a function of allocating something in the order of \$400m to TAFE colleges and other training providers. It outlines in "The Third Horizon and Us" that its vision is for "the best trained, most employable people in the world". We are talking about an internal reorganisation. That is what it wants to do - internally reorganise itself so it can be the best in the world. It goes on to refer to the requirement to identify what this vision looks like, and in brackets it says, "what are the characteristics of a place which has the best trained, most employable people in the world?" When it finds out, I want to be the first to know what the most employable person in the world looks like. What an absolutely grand vision for the Western Australian Department of Training and Employment. It is very admirable but, given some of the nonsense it has put forward, it is an indication that it is starting from a very low base. "The Third Horizon and Us" is a very expensive glossy. I hate to think how much it cost. This is the great initiative which says -

#### REMOVING BARRIERS (SURFING THE SILOS!)

Recently Rowan Maclean took new staff from her area to a number of different sections of the Department where she introduced them to key people they will be having contact with in their work. **Susan Kelly**, one of the people visited, was really impressed with this as a valuable thing to do. And so the idea spreads ...

The department has put that nonsense on a glossy piece of paper for goodness how knows much money. I wonder what is the value of moving people around the department and introducing them to one another. Maybe the department could organise a more efficient system. Maybe they could all get together and have a cup of coffee. This is the sort of nonsense that goes on within the Western Australian Department of Training and Employment.

The next section is about streamlining processes. It states -

A lot of the work done in any staffing section is necessarily process driven. There are lots of compliance issues which can not be circumvented.

However, that will not stop the Western Australian Department of Training and Employment because it will occupy some of its time in working out where it can circumvent or reduce the effort put into those compliance issues.

These are just very small examples of the sort of nonsense that goes on. I can assure members that that also operates at a much higher level. All sorts of things are happening within the Department of Training and Employment. Students are being passed purely and simply so that lecturers can retain their positions within the colleges. They are being passed without necessarily meeting the course requirements. They are going out into industry without necessarily having the skills to undertake the tasks expected of them. Managing directors are being reappointed, irrespective of whether they have fudged their qualifications. There has been roting of the recognition of prior learning system. Unchecked, privately registered training organisations are helping themselves to the training dollar and acting as middlemen in training - not really contributing to the training effort but simply creaming some of the money off the top.

*Government Vehicle Fleet, Use of Gas - Adjournment Debate*

**HON NORM KELLY** (East Metropolitan) [10.18 pm]: I have risen in this place on a number of occasions in the past few years to comment on this Government's policy on the use of gas vehicles in its government vehicle fleet. It was with some bemusement that I noticed today in a media release put out by the Premier that the Government seems to be, in a sense, finally moving on this issue. I must admit that it was with pleasure that I read the heading of this media release which said that the Premier was taking delivery of a new LPG car. I thought that was good, because I understand that only three members of Parliament have liquefied natural gas vehicles. It is good to see the Premier -

Hon M.J. Criddle: Have you got one?

Hon NORM KELLY: Yes.

Hon Kim Chance: Two of those three members are in the Chamber at the moment.

Hon NORM KELLY: That is right.

Hon M.J. Criddle: How long have you had it?

Hon NORM KELLY: About a year and a half. I was not aware of the availability of such a car when I first came into Parliament, but at the first opportunity, I replaced my car with a dual-fuel LPG vehicle.

Hon M.J. Criddle: Is it efficient?

Hon NORM KELLY: It is efficient. It also costs me about \$100 a month because this Government is not willing to follow the lead of the Federal Government by providing LPG vehicles at no extra cost to members of Parliament. I am happy to pay that additional \$100 a month because of the savings to this State, both in fuel costs and to the environment. Therefore, it was with some pleasure that I saw that the Premier had put out a media release saying that he had taken delivery of a new LPG car. Unfortunately, the media release states that he took delivery of the car so that the Ministry of Housing in Busselton could use it. I am sure that the Premier covers many thousands of kilometres in his government-supplied vehicles, and it is unfortunate that he cannot show some leadership by using a gas-fuelled car himself.

It is with pleasure that we see that Ford Australia has released on the Australian market an LPG dedicated vehicle which does away with the problems of having the gas cylinder in the boot of the vehicle, which has been a deterrent to a good number of people.

Hon M.J. Criddle: Do you support the fuel-cell experiment that we will carry out with the buses?

Hon NORM KELLY: I support the fuel-cell experiment, but I do not support the Government's commitment to diesel fuel buses in the meantime. It would have been far better had the Government adopted the cleaner alternative of using compressed natural gas and LPG-fuelled buses while the fuel-cell trial was implemented. It is unfortunate that Perth is the only mainland capital city in Australia which does not have a significant number of gas-powered buses in its vehicle fleet.

From the media release it appears that the Premier does not get to talk to his Minister for the Environment all that much. It seems that they are at cross-purposes. I was fortunate enough to be at a luncheon today when the Premier was speaking. He referred to the issue of LPG-fuelled vehicles. In the media release the Premier stated -

We need to look at the issue from a number of directions - dedicated LPG vehicles, the cost of conversions and the price and availability of LPG . . . At the same time, across Government, we are reconsidering our fleet requirements with a view to increasing the use of LPG vehicles.

Hon Kim Chance: I wonder what sparked the Premier's sudden interest in LPG? Perhaps it was something Geoff Gallop said.

Hon NORM KELLY: I am sure it is the number of questions I have asked and speeches I have made in this place. It is interesting that the Premier is apparently oblivious of the government trial that was initiated in April 1998 when the Minister for the Environment and the then Minister for Works, Hon Mike Board, announced that 300 light vehicles in the Government's fleet would be converted to gas. I have asked a number of questions on the issue over the years. A couple of months ago the Government had managed to get 52 vehicles onto that trial of 300 vehicles. In her answers to my questions the Minister for the Environment talks about how the Government is gauging whether any environmental benefits will accrue from converting to gas. However, we are getting a little shift in government thinking at the top, even if the Premier chooses not to have a gas vehicle. It is unfortunate that in a sense the shift is due to the pressure of parties like the Australian Democrats, which are pushing this issue.

Hon M.J. Criddle: You will not even back us on the fuel-cell issue.

Hon NORM KELLY: Yes we will.

Hon M.J. Criddle: No you will not. Your legislation to do with the greenhouse effect did not include anything other than gas; you were not interested in looking at anything else.

Hon NORM KELLY: That is rubbish.

Hon M.J. Criddle: It is not rubbish; it is a fact.

Hon NORM KELLY: The Minister for Transport brings up a good point about more fuel friendly government buses. When I have spoken to my federal colleagues on this issue and about this Government's attitude to cleaner fuel choices for its fleet, I have had to tell them that the Government has distinctly thumbed its nose at the benefits of CPG and LPG for the bus fleet. It is disappointing that I could not give my colleagues better news about the Government's direction on more environmentally friendly fuels, for not only buses but also the light vehicle fleet. I have repeatedly spoken about the flow-on benefits of converting the government light vehicle fleet to gas. The high turnover of vehicles means that the benefits will quickly flow through to the private sector as those vehicles are auctioned off, which will mean a far higher demand. I have been talking to some of the gas retailers in Perth recently and discussing the impact. Unfortunately I do not have the figures with me today, but if the Government had a policy of putting even 1 000 vehicles onto gas, it would have a significant impact on the demand for LPG in this State. It has been made very clear to the Select Committee on Petroleum Products Pricing in Western Australia that as we increase the demand for LPG, we make it easier -

Hon M.J. Criddle: The price is going up. The price of LPG is 55.9¢ a litre in my part of the world.

Hon NORM KELLY: What is the price of petrol?

Hon M.J. Criddle: LPG has gone up by about the same ratio as petrol.

Hon NORM KELLY: It is about 50¢ or 60¢ a litre cheaper than petrol. That is not a bad saving when we consider it uses only about 10 per cent -

Hon M.J. Criddle: You need to look at a few more economies of scale than that.

Hon NORM KELLY: It is exactly the economies of scale that we are talking about. The reason for higher country prices is simply economies of scale -

Hon M.J. Criddle: That is why fuel was \$1.18 in Horrocks Beach last week. I suppose gas will be cheaper.

Hon NORM KELLY: I have never heard the minister be happy to come out and say that gas is a cleaner fuel. It is amazing that the Government is reluctant to show some leadership. The benefits are there. The minister has still not responded to basic questions that I asked in this place as recently as 7 September and 8 August -

Hon M.J. Criddle: Get the right minister.

Hon NORM KELLY: It would be good if some of the ministers would talk to each other. Rather than have the Premier make this statement today, he should talk to the Minister for the Environment, the Minister for Works and the Minister for Transport, and they should get together and say, "We have a great opportunity here. An election is coming up in a few months, and we can show some leadership and make a commitment - okay; it may be a couple of years too late - to put a significant proportion of the government light vehicle fleet onto gas." That could be either dedicated gas vehicles or dual fuel vehicles, which would probably be better for use in the country, where gas is not as freely available. Gas also allows vehicles to travel a greater distance. My vehicle has a range of over 1 200 kilometres if I choose to drive that far in one stretch, and that is very beneficial for country travel. I urge the Government to make a commitment before this election to make greater use of LPG in the government light vehicle fleet.

**HON M.J. CRIDDLE** (Agricultural - Minister for Transport) [10.28 pm]: I want to put on record what we are doing in Transport with regard to our bus fleet, and outline some of the initiatives we have put in place. Members would be aware that a review was done, which came out with a clear indication, and we will review what we will do over the few years up to 2003 and will then look at a change in the bus fleet from there on. Western Australia has led the way in introducing gas buses. That goes back to 1982 when we first introduced gas buses.

Hon Ken Travers: Another great Labor initiative.

Hon M.J. CRIDDLE: We have led the way, and we are continuing with it. The recent review indicated clearly the economic, environmental and operational benefits of the diesel fuel that we are using with the reduced sulfur content of the Euro II and Euro III fuel, and we will be moving to Euro IV in the near future, and that will be a major improvement. From the point of view of the environment, the cleanliness of those Euro II, III and IV fuels has been improved, and the catalytic converter assists in reducing the particulates that go into the air -

Hon Kim Chance: Hasn't the validity of that report been questioned?

Hon M.J. CRIDDLE: It was certainly questioned, but we need to look at the outcomes of that with regard to pre-GST and post-GST and compare them in a reasonable light.

Interesting conclusions could be drawn from the financial impacts as they do not provide a direct comparison of the information.

Also, the Government is about to sign an agreement to conduct further experiments with gas-powered buses. A multipoint fuel injection system designed by a local company will be put into five buses and three engines. The company was called Transcom Engine Corporation Limited but is now Advanced Engine Components Limited. It will conduct an experiment on the system and send it to Europe to be tested according to world standards, which is the only way to get a real comparison. The system will then be put into our buses. We will have a clear comparison between carburettor, fuel-injected gas and diesel fuel, and a reasonable understanding about the State's future requirements and the best outcome for our bus fleet. The fuel cell bus was brought here. It was disappointing that none of the members opposite travelled on it.

Hon Norm Kelly: I looked at it outside.

Hon M.J. CRIDDLE: Did the member travel on the bus?

Hon Norm Kelly: I did not have an opportunity as Parliament was sitting.

Hon M.J. CRIDDLE: I was on the bus, as were a number of other people who bothered to look at the technology. People appreciated that it is a good bus and a possibility for our fleet. Such buses are employed in commercial operations in Vancouver and Chicago.

Hon Ken Travers: Why aren't any here now?

Hon M.J. CRIDDLE: Western Australia will be the first city in the southern hemisphere to put those buses into the commercial field. We will have three buses.

Hon Ken Travers: When?

Hon M.J. CRIDDLE: It will be a couple of years before they arrive. The point is that we will be experimenting with guilt-free motoring. Water vapour will be the only emission.

Hon Ken Travers: How many diesel buses will we have by the time we get the first fuel cell bus?

Hon M.J. CRIDDLE: There is much talk about gas-powered buses around Australia and thousands of buses on the road, but only 400 of those buses are gas powered. When the fleets are compared on percentages, it becomes plain that all the talk about Western Australia being left behind is rubbish.

Hon Ken Travers: You are responsible for our fleet and our technology.

Hon M.J. CRIDDLE: We are conducting experiments that will provide the best outcome for the future. There is no point buying a gas fleet and installing gas outlets around the place when we could leapfrog it with guilt-free motoring through a bus that produces no emissions. Is that not the best alternative for the future? The member does not appreciate that we are onto something that will be the best outcome for the Western Australian environment.

Hon Ken Travers: Why don't we have gas buses in the meantime?

Hon M.J. CRIDDLE: The member is not taking into account the improvements in diesel fuel as a result of the Euro II, Euro III and Euro IV emission standards.

Hon Ken Travers: We have only just got Euro II-standard buses.

Hon M.J. CRIDDLE: We will move to Euro III.

Hon Ken Travers: When?

Hon M.J. CRIDDLE: In the near future; a couple of years.

Hon Ken Travers: You are a real "gunna", aren't you?

Hon M.J. CRIDDLE: I am not a "gunna", because we are putting these things in place. These outcomes will be of real benefit to the Western Australian environment in the long term.

Hon Ken Travers: How many Euro II-standard diesel buses will Western Australia have by the time the Government moves to Euro III?

Hon M.J. CRIDDLE: I need to look those figures up, but the fleet contains about 160 or 170 Euro II buses and we are putting on about 65 a year. The member can work it out himself on a yearly basis. By 2003, we will be able to make a decision about the best outcome for the State. We will not make interim decisions; we will make the best decision for the long term. That is what is required in Western Australia and what the people of Western Australia look forward to. A bus that produces no emissions apart from water vapour is surely better than anything gas or diesel could do.

Hon Ken Travers: What year will that be?

Hon M.J. CRIDDLE: I have just told the member. We will have the hydrogen fuel cell buses here in a couple of years and we can introduce them into our environment. They are already working overseas in Vancouver and Chicago.

We have what I believe is the best possible outcome with the alternatives of hydrogen fuel cells, multi-point injection and carburetted gas, and we are also working on improvements for the best outcomes for diesel fuel at the lowest emissions. That is the best possible result we can achieve for Western Australia.

**HON KEN TRAVERS** (North Metropolitan) [10.35 pm]: I should not have been in the Chamber when this debate commenced; I knew I could not resist. I was amazed that the minister and the Leader of the National Party attacked Hon Norm Kelly for raising the issue of gas-powered buses.

Hon M.J. Criddle: I am not attacking him. I am pointing out what the Government is doing.

Hon KEN TRAVERS: I would have thought that the Leader of the National Party would support the Australian Democrats for catching on to the initiative started by the Australian Labor Party and the National Party member for Collie. We should congratulate Hon Norm Kelly for that. The member for Collie and I were the first members to set the trend by getting gas-powered vehicles, and it is good to see the Democrats coming on stream.

Hon Norm Kelly: It took me a while to replace my car, because I used my pushbike so much.

Hon KEN TRAVERS: We should be encouraging members. Obviously the minister is feeling particularly defensive about his gas-powered buses, or the lack of them -

Hon M.J. Criddle: Not at all.

Hon KEN TRAVERS: - and it is no wonder. We have all these great initiatives for some time down the track, but before we get these trial gas buses, about a third of our fleet will be replaced with the old technology Euro II diesel buses. By the time we get the diesel fuel bus, we will have about 160 of the older buses on the road, and 65 a year will take it to about 300, which is about a third of the fleet. By the time we get onto Euro III we will have our first hydrogen fuel cell buses. If the hydrogen fuel cell buses are already operating, why does the Government not have them out here now? That is the problem with this Government's strategy: This Government has allowed the bus fleet to run down and it is now compacting all this -

Hon M.J. Criddle: You did not replace the buses.

Hon KEN TRAVERS: No. The minister did not replace a bus for the first seven years he was in this place.

Hon M.J. Criddle: You did not replace the buses.

Hon KEN TRAVERS: Look at the age of the fleet. I used to drive them; I know how they worked, because they were getting replaced when I was around and they stopped when the members opposite came into government. We will have all this wonderful technology going into the remaining fleet and there will also be all these buses with an approximate 25 year life expectancy sitting there using old technology. I agree with the minister that we should be jumping the gun, but we are leaving it too late.

Hon M.J. Criddle: At least you have a bit of vision; you have followed us.

Hon KEN TRAVERS: We would be doing it a lot better than the current Government. Hon Kim Chance asked why the Premier was suddenly interested in this. It is the same reason the Premier was suddenly interested in this prior to the last election. That is when the Government produced its last proposals about getting LPG fuel powered vehicles. The Government has done nothing about it for four years, and, surprise surprise, just as those on the government side are about to lose the next election, they trot the matter out again to try to get some brownie points. As Hon Kim Chance said, the Leader of the Opposition put forward another positive initiative to give this Government a lead as to how it could get people onto gas. There is something else the Minister for Transport did not talk about: It is not just about price when it comes to LPG fuel, it is about environmental benefits.

Hon M.J. Criddle: It is also about reliability and the buses those opposite introduced. What did they do? They overheated.

Hon KEN TRAVERS: What will the fuel cell do?

Hon M.J. Criddle: It works. We know that. You are stumped.

Hon KEN TRAVERS: There must be trials. We started a trial and the Government stopped those ongoing trials. The minister started comparing prices between pre and post-goods and services tax, and I thought he was really saying that the GST had forced up the price of gas as well.

Hon M.J. Criddle: That is not what I was saying. One must compare apples with apples. The member would not know how.

Hon KEN TRAVERS: It means that the relative price of gas has gone up as a result of the GST. Not only are people paying more, but also the environment is suffering more as a result of the Liberal Government's GST. It does not surprise me that the Government is yet again jumping on the bandwagon. It promised 300 vehicles but delivered none.

About two years ago the Minister for the Environment told everyone she was trying to obtain a gas-powered vehicle. When I asked a question a few months ago as to whether she had finally got a gas-powered vehicle she said she had not. This Government will not put in place the necessary financial structure to encourage the use of gas-powered vehicles. This Government does not have the leadership: The National Party showed the leadership; the member for Collie showed the leadership; I showed the leadership; and Hon Norm Kelly jumped on the bandwagon.

Question put and passed.

*House adjourned at 10.40 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**GOVERNMENT DEPARTMENTS AND AGENCIES, PROGRAMS FUNDED**

98. Hon Tom Stephens to the Attorney General representing the Minister for Heritage:

What funds have been allocated from any department or agency within the Minister for Heritages portfolios, and for what programs, to each of -

- (a) Chamber of Commerce and Industry;
- (b) Pastoralists and Graziers Association;
- (c) WA Farmers Federation;
- (d) Unions WA;
- (e) Chamber of Minerals and Energy; and
- (f) Association of Minerals and Exploration Companies,

for 1999-2000?

Hon PETER FOSS replied:

- (a)-(f) Nil

**GOVERNMENT DEPARTMENTS AND AGENCIES, PROGRAMS FUNDED**

130. Hon Tom Stephens to the Attorney General representing the Minister for Heritage:

What funds have been allocated from any department or agency within the Minister for Heritages portfolios, and for what programs, to each of -

- (a) Chamber of Commerce and Industry;
- (b) Pastoralists and Graziers Association;
- (c) WA Farmers Federation;
- (d) Unions WA;
- (e) Chamber of Minerals and Energy; and
- (f) Association of Minerals and Exploration Companies,

for the period February 1993 to June 1999?

Hon PETER FOSS replied:

- (a)-(f) Nil

**EMPLOYMENT AND TRAINING, CCF (WA) FUNDING FOR SKILLS RECOGNITION**

150. Hon Ljiljana Ravlich to the Leader of the House representing the Minister for Employment and Training:

Further to question on notice 1981 of 2000 -

- (1) Will the Minister for Employment and Training provide a summary of the CCF Skills Recognition Program and a detailed account as to where the \$13 125 grant will be spent?
- (2) What is the purpose of the CCF program if it is not intended to fund assessments of workers of trainees given that The fifth program, Skills Recognition for Trade Level Plant Operators, enables existing operators in the industry to qualify for a gold car under the CCF's newly introduced skills recognition system (WA Civil Contractor Jan-Feb 2000 p.7)?
- (3) Under which program in the BCITF Operational Plan was the CCF funding allocated from and why?
- (4) Can the Minister advise how the BCITC Skills Recognition Program differs from the CCF program in terms of funding criteria?
- (5) Why was the CCF submission treated differently to the Services Industry Sector submission?
- (6) Why was the CCF not directed to wait for the release of the industry Special Projects Guidelines and then submit its proposal addressing those guidelines

Hon N.F. MOORE replied:

I am informed by the BCITF Board as follows:

- (1) The CCF Program is a Skills Recognition program based on the national competency standards produced by Construction Training Australia and endorsed by ANTA for plant operators in the civil construction industry. The program provides a mechanism for skills recognition for experienced and long serving plant operators in the civil construction industry. The program training material consists of five modules, each one relating to elements within the competencies. Assessment against the content of all five modules must be achieved to meet the qualification and issuance of a certificate. The \$13 125 grant was provided to enable 25 plant operators to complete the program.
- (2) The CCF program was for the assessment of plant operators within an existing course-based framework. The "fifth program" proposed by the BCITC was for the development of a skills recognition self assessment process for plumbers, gas fitters, drainers, roof plumbers, urban irrigation workers, refrigeration and mechanical services workers and fire protection services workers. The BCITC RPL development project had a total budgeted cost of \$114 812.
- (3) Funding was allocated under the BCITF's Construction Skills program.
- (4) As the CCF proposal related to a specific pre-structured approach to worker assessment leading to a qualification, the initiative was funded as a pilot under the BCITF Construction Skills program. This program does not have funding submission criteria similar to the criteria for the BCITF Industry Special Projects program.
- (5) The BCITC program was for the development and eventual provision of self assessment material to approximately 100 employees across all services skill streams whereas the CCF program was for the assessment of plant operators under an already developed course structure to train and assess people in a manner similar to other skills courses funded by the BCITF.
- (6) The industry special projects guidelines had no bearing on the CCF proposal.

#### BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND BOARD, PERFORMANCE AUDIT

151. Hon Ljiljana Ravlich to the Leader of the House representing the Minister for Employment and Training:

Further to question on notice 1981 of 2000 -

- (1) Will the Minister for Employment and Training outline where and how the current board has achieved more in the last 12 months than has been achieved in the last five years?
- (2) Is the Minister prepared to authorise an independent performance audit of the last five years?
- (3) If not, why not?

Hon N.F. MOORE replied:

- (1) At the time of appointment of the Board in April 1999 the underlying funding structures for group training schemes were such that every scheme offering apprentices to host employers on a hire-out basis received a different total annual subsidy per apprentice from the BCITF. These differences ranged up to 40% of annual funding for the same trade training. The Board has adopted a more objective approach to reduce the imbalance.

Before April 1999 the Skills Enhancement funding structure resulted in funding differentials for identical training activities of more than 50%. The funding for skills training was structured in such a way that the inevitable result was an under commitment of funds from the BCITF program. The Board has corrected these deficiencies and achieved an improvement in subsidy rate of over 100% as a direct result of administrative efficiency introduced with the new funding structure.

The differential in funding between apprentices employed by Group Training Schemes and those indentured directly was approximately 350% in June 1999. In a twelve month period, the Board has reduced this to around 35%, a factor of 10.

Prior to April 1999, the Skills Enhancement funding structure resulted in funding differentials for identical training activities of more than 50%. The funding for skills training was structured in such a way that the inevitable result was an under commitment of funds from the BCITF program. The Board has corrected these deficiencies and achieved an improvement in subsidy rate of over 100% as a direct result of the introduced administrative efficiency.

In 2000/2001, the Board has increased basic skills funding by around 50% and the total pool of funds available for skills training by around 100%. The Board is continuing the process of addressing the imbalances of funding support between trade level training and sub-trade skill training, apprentice funding both internally within group scheme funding and those existing between apprentices employed by group schemes and those indentured directly to persons working in the building and construction industry. Generally, the actions of the Board in this period have addressed issues of equity, balance and fair distribution of the BCITF to all workers within the building and construction industry.

- (2) No.
- (3) Since the Board is in a continuing process that is not complete, an audit at this stage could be premature.

GOVERNMENT DEPARTMENTS AND AGENCIES, ERNST AND YOUNG OUTPLACEMENT SERVICES

306. Hon Ljiljanna Ravlich to the Minister for Transport representing the Minister for Disability Services:

Will the Minister for Disability Services detail for each department and agency under the Ministers control -

- (a) the number of redeployees who have used the services of Ernst and Young; and
- (b) the cost of the services of Ernst and Young for the provision of outplacement services?

Hon M.J. CRIDDLE replied:

- (a) Nil
- (b) Not applicable

GOVERNMENT DEPARTMENTS AND AGENCIES, ERNST AND YOUNG OUTPLACEMENT SERVICES

322. Hon Ljiljanna Ravlich to the Attorney General representing the Minister for Forest Products:

Will the Minister for Forest Products detail for each department and agency under the Ministers control -

- (a) the number of redeployees who have used the services of Ernst and Young; and
- (b) the cost of the services of Ernst and Young for the provision of outplacement services?

Hon PETER FOSS replied:

The Office of the Minister for Forest Products was established on 22 December 1999. Pending passage of legislation currently before Parliament, there are no departments or agencies within the Forest Products portfolio.

- (a)-(b) Not applicable

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND BOARD, FUNDING OF PROGRAMS

347. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for Employment and Training:

In respect of the BCITF Operational Plan 2000-2001 will the Minister for Employment and Training advise -

- (1) Why has the BCITF Board not included a provision to allocate funds for the BCITC Programme Management funding request?
- (2) Does the omission of the BCITC Programmes from the Operational Plan indicate that the BCITF Board will not be funding the BCITC for any programmes or projects?
- (3) Does the Minister support the position taken by the BCITF Director and Board to the BCITC programme and project proposals?

Hon N.F. MOORE replied:

The Board informs me that:

- (1) All funding allocated by the Board must relate to programs within the approved Operational Plan. I am informed that the Board requested that the BCITC submit its funding application against a range of criteria detailed within a funding submission guideline document provided to the Council, and that the submission has been fully evaluated against these criteria. The Board has provided details relevant to its assessment of the funding submission to the BCITC in three letters on this matter and has also met with senior representatives of the Council to debrief them on the Board's decision not to fund the BCITC submission for 2000/2001
- (2) In fact, the Board has approved funding for two projects proposed by the BCITC within the Operational Plan subject to the provision of satisfactory follow up information and agreement of the terms of contract for the execution of these projects.
- (3) The Board has been appointed to manage the BCITF within the terms of the legislation and for the benefit of the building and construction industry in Western Australia. It is the Board's responsibility to manage the detailed strategic and operational matters associated with the use of the Fund.

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND, OPERATIONAL EXPENSES

349. Hon Ljiljanna Ravlich to the Leader of the House representing the Minister for Employment and Training:

- (1) Will the Minister for Employment and Training provide a detailed account of \$716 850 allocated in the Operational Plan 2000-2001 for the BCITF's operational expenses including the salaries of all staff and fees paid to board members?
- (2) If not, why not?

Hon N.F. MOORE replied:

- (1) The Board has advised that its operational overheads are within normal parameters. Given this advice from the Board, I see little value in detailing each item within the Board's operational budget.
- (2) I am informed that the BCITF operational expenses for 2000/2001 are estimated to be less than 10% of forecast revenue for the financial year and represent 7.5% of actual revenue for the financial year that ended on 30 June. The Board appears to be managing overheads satisfactorily and has improved the percentage of the Fund flowing to support for training and related activities.

GOVERNMENT DEPARTMENTS AND AGENCIES, TEMPORARY STAFF

449. Hon Ljiljana Ravlich to the Minister for Transport representing the Minister for Fisheries:

For each department and agency under the Minister for Fisheries direction -

- (1) How many temporary staff have been engaged through an employment agency since January 1 1999?
- (2) For each engagement, what was the -
  - (a) level of the position;
  - (b) name of the employment agency;
  - (c) duration of the engagement; and
  - (d) reason why the position was not filled from within the public sector?

Hon M.J. CRIDDLE replied:

Fisheries WA responds for the period 1 January 1999 to 31 August 2000

- (1) 116 people for 130 engagements

- (2)
 

(a)	Level 1	72
	Level 2	33
	Level 5	6
	Level 7	1
	Undetermined level	18

- (b) The employment agencies used were:

Employment Agency	No. of Engagements
Apex Recruitment	1
ATC Recruiting	2
Capricorn Business Services	2
Complete Staffing Services	1
Drake International	91
Dunhill Personnel	2
Esperance Group Training	2
Gee-Woolhouse	1
Geraldton Secretarial Services	1
Gryphon Consultants	1
Hays Accountancy Personnel	1
Information Enterprises	4
Instant Personnel	2
Morgan & Banks	6
Rural Tech International	1
Priority Appointments	1
Select Appointments	1
Skill Hire	1
South West Personnel	4
Superior Personnel	5

- (c) The length of the engagements vary, however, they can be classed into the following time frames:

Duration	No. of Engagements
Less than 1 month	60
1 to 3 months	31
3 to 6 months	18
More than 6 months	21

- (d) There are several reasons why a position is filled by engaging a temporary staff member, rather than through the usual recruitment processes.

- the position is being temporarily resourced while being advertised;
- there is a peak in the workload in a Branch (eg. Y2k management) that requires temporary additional resources;
- short-term specialised skills are required and are only available through an employment agency;
- officers are on various forms of leave (annual, sick, etc) and the position needs to be covered in their absence;
- substantive officers are acting in other positions, but will return to their substantive at the conclusion of the acting period.

GOVERNMENT DEPARTMENTS AND AGENCIES, PHOTOCOPIERS AND FACSIMILE MACHINES

479. Hon Ljiljana Ravlich to the Attorney General representing the Minister for Forest Products:

For each agency under the Minister for Forest Products control -

- (1) Does the agency have contracts to lease photocopiers or facsimile machines under any of the following volume based agreements -
  - (a) Ricoh - Blue-chip;
  - (b) Konica - Fivestar;
  - (c) Toshiba - Platinum; or
  - (d) Abacus - Copyclub?
- (2) If yes, how many photocopiers or facsimile machines does the agency have?
- (3) With which organisation does it have a contract?
- (4) When did the agency enter into this contract?
- (5) What has been the total cost of each contract to date?
- (6) When is the contract due to expire?

Hon PETER FOSS replied:

- (1) (a)-(d) No
- (2)-(6) Not applicable

GOVERNMENT DEPARTMENTS AND AGENCIES, PRIVATISED, CLOSED OR CONTRACTED OUT

545. Hon Ljiljana Ravlich to the Attorney General representing the Minister for Heritage:

Since the election of the present State Government in 1993 -

- (1) Which Government departments, agencies and/or enterprises under the Minister for Heritages portfolio have been -
  - (a) privatised; and
  - (b) closed?
- (2) Which services under the Ministers portfolio, formerly performed by Government employees have been contracted out to the private sector?

Hon PETER FOSS replied:

- (1)-(2) Nil

GOVERNMENT DEPARTMENTS AND AGENCIES, PRIVATISED, CLOSED OR CONTRACTED OUT

546. Hon Ljiljana Ravlich to the Attorney General representing the Minister for Planning:

Since the election of the present State Government in 1993 -

- (1) Which Government departments, agencies and/or enterprises under the Minister for Planning's portfolio have been -
  - (a) privatised; and
  - (b) closed?
- (2) Which services under the Ministers portfolio, formerly performed by Government employees have been contracted out to the private sector?

Hon PETER FOSS replied:

Ministry for Planning

- (1) Nil

- (2) Property Management - rentals  
Information Technology Support Internal Audit

Western Australian Planning Commission

- (1) Nil

- (2) Information Technology Support Internal Audit

Office of the Minister for Planning (Appeals)

East Perth Redevelopment Authority

Subiaco Redevelopment Authority

Midland Redevelopment Authority

- (1)-(2) Nil

GOVERNMENT DEPARTMENTS AND AGENCIES, WA CHAMBER OF COMMERCE AND INDUSTRY  
MEMBERSHIP OR SUBSCRIPTION FEES

594. Hon Tom Stephens to the Attorney General representing the Minister for Heritage:

What has been the cost incurred since February 1993 by any department or agency within the Minister for Heritages portfolio that pays -

- (a) membership; or  
(b) subscription fees,

to the Chamber of Commerce and Industry?

Hon PETER FOSS replied:

- (a)-(b) Nil

GOVERNMENT DEPARTMENTS AND AGENCIES, WA CHAMBER OF COMMERCE AND INDUSTRY  
MEMBERSHIP OR SUBSCRIPTION FEES

596. Hon Tom Stephens to the Attorney General representing the Minister for Planning:

What has been the cost incurred since February 1993 by any department or agency within the Minister for Planning's portfolio that pays -

- (a) membership; or  
(b) subscription fees,

to the Chamber of Commerce and Industry?

Hon PETER FOSS replied:

Ministry for Planning

Western Australian Planning Commission

Office of the Minister for Planning (Appeals)

East Perth Redevelopment Authority

Subiaco Redevelopment Authority

Midland Redevelopment Authority

- (a)-(b) Nil

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