

Legislative Assembly

Thursday, 4 December 2008

THE SPEAKER (Mr G.A. Woodhams) took the chair at 9.00 am, and read prayers.

CANCER PATIENTS — DEDICATED TRANSPORT SERVICE

Petition

MR P. PAPALIA (Warnbro) [9.01 am]: I present a petition signed by 601 people, which is certified as complying with standing orders, and reads —

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

We the undersigned, say that we support the introduction of a low cost dedicated transport service for people in the Rockingham, Singleton, Golden Bay, Secret Harbour areas who are undergoing cancer treatment at the major Perth hospitals. Currently the transport needs of cancer patients in these areas are not being met.

Now we ask the Legislative Assembly to consider our Petition favourably and make the appropriate changes to implement a transport system to aid people having cancer treatment.

[See petition 35.]

PEDESTRIAN RAIL CROSSING, BIBRA LAKE

Petition

MR J.M. FRANCIS (Jandakot) [9.02 am]: I present a petition signed by 198 people, which is certified as conforming with the standing orders of the Legislative Assembly, and reads —

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

We, the undersigned, say that an urgent upgrade is required of the pedestrian railway crossing from a 'passive' to an 'active' one at Prout Way & Little Rush Close, Bibra Lake

Now we ask the Legislative Assembly to support this upgrade in the interest of community safety. Upgrading the crossing to an 'active' one would mean erecting visual and audio warning signals to warn of approaching trains. At the moment the crossing is graded as 'passive' meaning there are no active warning signals and crossing the rail line is at the risk of the pedestrian.

[See petition 36.]

BELDON PRIMARY SCHOOL — CROSSWALK

Petition

MS M.M. QUIRK (Girrawheen) [9.03 am]: On behalf of the member for Joondalup, who is unavoidably detained, I present a petition signed by 467 people, which is certified correct by the Clerk, and reads —

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

We, the undersigned say, that the proposed change of warrant status from type 'A' to type 'B' to the existing crosswalks at Pacific Way and Gradient Way, Beldon Primary School, Beldon, is irresponsible and hazardous. Beldon primary School, as part of its Healthy Living Programme and its support for ways to reduce greenhouse omissions, encourages its students and their families to walk or ride to school. Changing the current warrant status of these children's crossings, will result in fewer families and children walking or riding to school, even more vehicles will be on the road and children walking or riding to school will be in danger when crossing Gradient and Pacific Way. The recent audits resulting in the proposed change showed an appropriate number of pedestrians and cyclists are using the crosswalks but the number of vehicles fell just short of the numbers deemed necessary to meet the prescribed risk factor. The school community is relatively small and is already stretched to capacity in regards to fund raising and calling on even more volunteers to man the crosswalks under the type 'B' proposal.

Now we ask that the Legislative Assembly find that the children's crossings at Pacific Way and Gradient Way should maintain their current 'A' warrant status. Please help to protect our children and their right to arrive safely at school.

[See petition 37.]

DEMOCRATIC REPUBLIC OF CONGO — WAR*Petition*

MR W.J. JOHNSTON (Cannington) [9.04 am]: I present a petition signed by four people, which reads —

**To the Honourable speaker
Parliament of Western Australia
Perth.**

The Honourable speaker and Members of the legislative Assembly of the Parliament of Western Australia assembled.

We, the undersigned, say

As members of the Congolese Community of Western Australia, we would like to inform you about the current war and atrocities occurring in the eastern part of the Democratic Republic of Congo and inform you that:

1. This war has caused the death of more than five million people and displace about one million people and
2. That the war has also seen massive violation of Human Rights including the mutilation and raping of women.

Now we ask that the Legislative Assembly

1. To note the concerns of the Congolese Community of Western Australia about the war in the eastern part of the Democratic Republic of Congo and
2. In solidarity with our families back home in Congo, the Congolese Community of Western Australia urge you to do all that is within your powers to stop the war in Congo.

[See petition 38.]

SOUTHERN SUBURBS RAILWAY — CAR PARKING FACILITIES*Petition*

MR F.M. LOGAN (Cockburn) [9.05 am]: I present a petition with 626 signatures, which conforms to the standing orders of the Legislative Assembly, and reads —

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

We the undersigned residents of Cockburn and/or users of the Southern Suburbs Railway, call upon the Premier of Western Australia to honour his Election Commitment to build appropriate car parking facilities at the Southern Railway Stations. We ask that the lack of car parking at Cockburn Central Railway Station be addressed as a priority. Cockburn Central is the second busiest rail station on the entire network and should take absolute priority in the building of rail station car park.

Now we ask the Legislative Assembly, during the term of this Government, to commit to the construction of adequate parking facilities at Cockburn Central to enable the public the use of a safe and world standard car parking facility.

[See petition 39.]

VOLUNTARY EUTHANASIA*Petition*

MR M.P. WHITELY (Bassendean) [9.06 am]: I present a petition from one very determined and intelligent constituent of mine, which reads —

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

I, the undersigned say:

In my own words I want to speak for people such as myself. I have had MS for 25 years and I know there is no cure and as a realist I have no hope for longevity.

I am only sixty and to be consigned to an aged person's facility now simply terrifies me. I am experiencing such pain and turmoil I think my identity as a human being will be obliterated by my anger and frustration.

Sure I am frightened, but I cannot place my beloved family in jeopardy by, in their company, defying the barbaric prohibition of voluntary euthanasia.

I am flesh and blood like any other human being and I ask, in fact I beg, for the legislation to reflect a humane approach that would enable my beloved children to always be by my side. I have lived the last five years in pain. Please do not deny me a little dignity and let me be with my family and friends at my final goodbye.

I am educated and informed. Over the last two years I have talked, written, researched and publicly declared my belief in what I believe to be my rights. I am a loyal, proud Western Australian woman and I have always been a contributor particularly in my 30 years working as a registered nurse within the Western Australian health system.

I feel I am isolated and the prohibition of voluntary euthanasia forces some Western Australians to a clandestine and lonely death. I am worth much more than that. I deserve more than this.

My father was a 'Rat of Tobruk' and fought for the values that Australia was meant to offer. If only he knew how West Australia was treating his daughter. This brings shame to us all. Nobody will ever truly know the torment that is cast for me. Remember a nation is only as strong as its demonstrated compassion. Please make me proud to be West Australian again.

Please allow the legislation to be changed to prevent others going through the torment that my family and I have endured.

Now I ask that the Legislative Assembly:

grant more options to those with terminal illness or those suffering severely debilitating disease, including the right to Voluntary Euthanasia.

[See petition 40.]

ROCKINGHAM PCYC

Petition

MR P. PAPALIA (Warnbro) [9.09 am]: I present a petition signed by 29 people, which is certified by the Clerk as complying with standing orders, and reads —

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

We, the undersigned, say that the Rockingham PCYC is an important community asset and is a key hub of activity for local young people. The role that the PCYC plays in diverting children at risk, away from criminal activity and anti-social behaviour is a valuable one. Similarly the opportunity for the young to interact with positive role models and to develop trusting relationships with police is an investment in the future of our community. The possible closure of the PCYC would have major implications as alternatives which would achieve the same outcomes are neither feasible nor available.

Now we ask the Legislative Assembly to endorse the continued future of the Rockingham PCYC and ensure that sufficient resources and funding are allocated to enable that to occur.

[See petition 41.]

PAPERS TABLED

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

SCHOOL TEACHERS — PAY AND CONDITIONS

Statement by Minister for Education

DR E. CONSTABLE (Churchlands — Minister for Education) [9.10 am]: It is with a great deal of pleasure that I can report to the house that the long-running dispute with the State School Teachers' Union of Western Australia about pay and conditions is over. In less than 80 days, this state government has achieved what the previous Labor government could not achieve in more than a year. Western Australian public school teachers have voted overwhelmingly in favour of a new package that will mean that 21 000 public school teachers and school administrators will receive pay increases in excess of 20 per cent over the life of the agreement. The salary increases, which include a six per cent interim payment that has already been received by teachers, will ensure that WA government school teachers continue to be among the highest paid in the nation.

As Leader of the Opposition, Premier Colin Barnett pledged to end the teachers' pay dispute by promising an extra \$120 million for teacher salaries. He promised to deliver this within the first 100 days of a new Liberal-National government—and he has, with weeks to spare.

Today signals a new era in education in Western Australia. Teachers can start their summer holidays later this month knowing that this important issue has been resolved and that they are highly valued by this state government. I look forward to continuing to work with teachers over coming years on many of the exciting challenges facing education in Western Australia. I would like to congratulate the State School Teachers' Union, its members, the Department of Education and Training and all teachers who worked tirelessly to achieve this outcome. Their commitment to good education in WA is applauded.

METROPOLITAN REGION SCHEME AMENDMENTS — BALDIVIS URBAN AREA

Statement by Minister for Planning

MR J.H.D. DAY (Kalamunda — Minister for Planning) [9.13 am]: The Western Australian Planning Commission has resolved to initiate four major amendments to the metropolitan region scheme. Those amendments have been processed as a group, as they all about the existing Baldivis urban area in the City of Rockingham. These amendments are: amendment 1127/41, Baldivis north east area, comprising 211 hectares; amendment 1128/41, Baldivis east area, comprising 166 hectares; amendment 1129/41, Baldivis east area, comprising 8.2 hectares; and amendment 1130/41, Baldivis west area, comprising 31.5 hectares. The total area of all four amendments is 416.7 hectares. Each amendment attracted submissions, some supporting the amendment and some objecting to the amendment, and there were also submissions containing comments of a general nature. The submissions in support of the amendments were largely from the landowners and their planning consultants, who made reference to the good location of the amendment areas in the regional context of the Perth metropolitan area. The area has favourable access to the major freeway and highway system and to the Perth-Mandurah rail line, and is in close proximity to the existing Baldivis urban area and the Rockingham regional centre. Submissions against the amendment were received from the Water Corporation, the Department of Water and the Department of Industry and Resources. The Water Corporation advised that it objects to the amendments because it will not have the capacity to service any new urban-zoned land at Baldivis until its east Rockingham waste water treatment plant becomes operational in 2015. The Department of Water objected to the amendments until such time as pending regional level drainage studies have been completed. That department advised that if the government still wished to proceed with the amendments, an urban-deferred zone would be appropriate. The Department of Industry and Resources raised its concern that residential development of the amendment sites may adversely affect some basic raw material sites to the east of Baldivis. In these circumstances, the WAPC resolved to modify the amendments to rezone the subject land to urban deferred rather than urban. The WAPC can consider lifting the urban deferral when the issues referred to above have been addressed. The amendments have been considered by cabinet and by the Governor in Executive Council and will be tabled in each house of Parliament for finalisation. I table the documents.

[See papers 481 to 485.]

INTERNATIONAL THANK A VOLUNTEER DAY

Statement by Minister for Emergency Services

MR R.F. JOHNSON (Hillarys — Minister for Emergency Services) [9.15 am]: Tomorrow is International Thank a Volunteer Day—an important event, with people around the world taking the time to celebrate and acknowledge the critical role that volunteers play in our community. In Western Australia we also take this opportunity to thank our volunteers, and while my esteemed colleague the Minister for Seniors and Volunteering will be praising the efforts of all Western Australian volunteers, I would like to take this opportunity to pay tribute to those volunteers who serve the community during emergencies such as fires, cyclones and severe storms.

The Fire and Emergency Services Authority of Western Australia provides coordination and support to more than 30 000 volunteers—men and women to whom I would like to pay tribute to today. What is really special about our emergency services volunteers is that they put the interests of the community ahead of their own pursuits, and remain dedicated to achieving our shared vision of a safer community. Over the years these volunteers have made themselves available around the clock to help those in need when disaster strikes. Whether by responding to emergencies or by encouraging preventive action from various hazards, they have saved lives and they have changed lives. By accepting this role, they have forgone their work, family and social lives to attend training sessions and emergency accidents. Behind each of these volunteers are thousands of family members, friends and employers who support them and, in doing so, also contribute to the provision of emergency services to the Western Australian community. We all know that the calls for help do not always come at an appropriate time. They come in the middle of dinner, during children's sporting events, during holiday periods and work hours, and at any time of the day or night. The families and friends who pick up the load to support our volunteers also deserve our thanks. I also need to include the employers, including the self-employed, who release volunteers from their paid work, thereby making them available to fight a fire, attend an accident scene or undertake a search on land or at sea for a person who is lost.

Acknowledgment of and recognition for everyone involved in volunteering is important, especially as it is getting harder to find people willing and able to sacrifice their time and energy for the good of others. Thankfully, time does not change the spirit of volunteerism. That is why our community is especially grateful. Again, as my colleague the Minister for Seniors and Volunteering will be acknowledging, in Western Australia there are an estimated 541 000 volunteers from all walks of life who donate their time and energy to make our state a better place in which to live. I am sure that I speak for everyone in the chamber, and the entire Western Australian community, as I offer a very special thank you to our volunteers.

**ECONOMICS AND INDUSTRY STANDING COMMITTEE — TENTH REPORT —
“KARRINYUP LAKES LIFESTYLE VILLAGE”**

Government Response — Statement by Minister for Commerce

MR T.R. BUSWELL (Vasse — Minister for Commerce) [9.17 am]: I wish to table, on behalf of the government, a response to report 10 of the Economics and Industry Standing Committee, which deals with issues at the Karrinyup Lakes Lifestyle Village, a retirement village in Karrinyup.

[See paper 490.]

Mr T.R. BUSWELL: The standing committee’s inquiry was undertaken during the course of the last Parliament. I congratulate the committee members on their work, and in particular acknowledge the former member for Carine, Katie Hodson-Thomas, whose hard work on behalf of her constituents led to this matter being referred to the standing committee for inquiry. The standing committee examined matters of great importance to the residents of Karrinyup Lakes Lifestyle Village. Many of the issues covered in the report have broader relevance to the retirement village industry. I am keen to ensure that a full response to the standing committee’s findings and recommendations is provided, that ongoing work is undertaken to ensure that the rights of the residents of retirement villages are fully respected, and that we have an effective and efficient regulatory regime for retirement villages in Western Australia.

While much of the standing committee’s work was concerned with failings by Moss Glades Pty Ltd, the developers and managers of Karrinyup Lakes Lifestyle Village, the standing committee also made a number of findings and recommendations that proposed changes to existing laws and to the legal and administrative roles played by various state government agencies and local governments.

At the time the standing committee was undertaking its inquiry, the Department of Consumer and Employment Protection was in the course of an extensive review of retirement villages regulation in Western Australia. In broad terms, that review has revealed that while the majority of residents are happy with the lifestyle offered by retirement villages, there are some significant concerns about the protections afforded to residents. The issues that were identified by the standing committee have reinforced the importance of ensuring that adequate protections and means of intervention are available if management failures occur at retirement villages. I am pleased to note that many of the recommendations being developed as a result of the Department of Consumer and Employment Protection’s review address issues that were identified by the standing committee.

The report I table today sets out responses to each of the standing committee’s findings and recommendations. The majority of these actions have been led by the Department of Consumer and Employment Protection. In addition to liaising with relevant state government departments, the department has been working with both Moss Glades Pty Ltd and the Stirling City Council to facilitate progress in addressing recommendations of the standing committee relevant to those organisations. As a result of further evidence provided to consumer protection, the department has been able to commence a formal investigation into a number of matters identified in the standing committee’s report. This investigation is currently ongoing. Once the investigation is completed, consideration will be given to whether there are sufficient grounds to prosecute Moss Glades Pty Ltd for breaches of the Retirement Villages Act and/or the Fair Trading Act. Since the tabling of the standing committee’s report, Moss Glades has also executed a deed of undertaking as requested by the Commissioner for Consumer Protection pursuant to the Fair Trading Act. Under the terms of this deed, Moss Glades has appointed an independent manager to Karrinyup Lakes Lifestyle Village and has agreed to comply with provisions of the Code of Fair Practice for Retirement Villages. I hope the residents of Karrinyup Lakes Lifestyle Village see from this report that the government is very serious about addressing the issues raised by the standing committee.

MEDICATION PRESCRIBED TO CHILDREN

Grievance

MR M.P. WHITELY (Bassendean) [9.21 am]: My grievance is to the Minister for Mental Health. I begin by congratulating him on his elevation to that position, and I thank him for taking the time yesterday to have an informal chat about this grievance; it was most constructive. We discussed yesterday’s front page article in *The Australian* about 4 000 children under the age of 10 being on mood drugs. The article referred to data provided by the federal Department of Health and Ageing highlighting alarming figures showing that in the 2007-08

financial year, 3 833 children aged 10 or under received prescriptions for antidepressants subsidised by the pharmaceutical benefits scheme. The minister and I agreed that those were astonishing figures; in fact, I think we are both struggling to believe them, particularly the figures relating to very young children—48 babies had been prescribed antidepressants in Australia. I encourage the minister to write to the federal Minister for Health and Ageing to check the validity of these figures, because they are so astonishing. However, I will take them at face value at this stage, because they are official Department of Health and Ageing figures. It is likely that the figures actually underestimate the use of antidepressants amongst children, because they only refer to PBS-funded prescriptions; they do not cover privately funded prescriptions.

As I said, the figures are alarming. In Australia, approximately 30 000 under-18s are on antidepressants, and about 2 500 of those are in Western Australia. Perhaps the most alarming figures show that 553 children aged five and under are on antidepressants, 53 of whom are in Western Australia. Eight of the 48 babies—children under two years of age—are in Western Australia. Eight two-year-olds, 10 three-year-olds, nine four-year-olds, 18 five-year-olds and 21 six-year-olds have been prescribed antidepressants. Half of the babies on antidepressants in Western Australia were on Efexor. The minister knows better than I that Efexor is a selective serotonin reuptake inhibitor, and is just one of a range of drugs that the children are taking. Four babies are on Efexor, of a total of 55 children under the age of 15, 11 of whom are aged between seven and 10 years, and another 40 aged between 11 and 15. A total of about 300 under-18s in Western Australia are on Efexor.

The very first page of the consumer medicine information on Efexor states, very clearly and in bold print —

Do not give Efexor-XR to children or adolescents under 18 years of age.

The safety and effectiveness of Efexor-XR in this age group have not been established.

Efexor, like all SSRI antidepressants, has been found to increase the risk of suicidality amongst children diagnosed with depression. I do not have the knowledge of mental health and the experience as a general practitioner that the minister has, but I must ask how effective an antidepressant is that makes children who are depressed more likely to want to kill themselves. There is some degree of absurdity in that statement. The Adverse Drug Reactions Advisory Committee warns against prescribing SSRIs, and the CMI advises against giving them to under-18s because of increased risk of suicidality, yet the federal government subsidises enormous numbers of children being put on these drugs.

I encourage the Minister for Mental Health to ask two obvious questions of the federal Minister for Health and Ageing. Firstly, who is prescribing Efexor and similar antidepressants to babies, toddlers, preschoolers, children and adolescents, and what will the minister do to stop the practice? Secondly, why are taxpayers' funds being used to subsidise off-label prescribing against the manufacturer's guidelines and the advice of ADRAC? I also encourage the minister to attempt to confirm the accuracy of the figures, as we discussed. Closer to home, I encourage the minister to work with the Minister for Health to make sure that child and adolescent mental health services in public hospitals and child development centres do not prescribe antidepressants and psychotropic drugs off-label to children in Western Australia. In a recent case in Melbourne, the mother of a 16-year-old daughter, Hannah Mulcahy, sued a doctor as a result of a severe adverse reaction to Zoloft. That has resulted in an out-of-court settlement. I suggest that we will see more of those sorts of cases. I still have a bit to do with some of my old constituents from the electorate of Roleystone. I have been dealing with a couple there who have issues with their own grandson, who is 16 years of age. He is currently on a mix of Zoloft, Lamictal, Zyprexa and Ritalin. They are concerned that this kid, through the mental health services, is not getting any response apart from a cocktail of drugs against prescribing guidelines.

I would like the minister to take up the issues I have outlined with Nicola Roxon, and I would also like him to have a look at what is happening inside our own public health system, to make sure that there is no off-label prescribing. I also ask his advice as an experienced country GP. Taking the example of Efexor, can he imagine circumstances in which he would prescribe Efexor to children, let alone babies? As an educated amateur who has an interest in this issue, I cannot see why it should be prescribed for very young children, including babies, if the CMI says that it should not be prescribed for under-18s. I do not have time to go through the list of adverse reactions that have been reported to the Therapeutic Goods Administration, but I can provide those to the minister at another time. They relate to a whole range of drugs, including Zyprexa, Prozac and others that the minister will be familiar with. These are not abstract concerns; they are real concerns, and there is real evidence that damage is being done to Australian children. I will be interested to hear the minister's comments both as the minister and as an experienced country general practitioner.

DR G.G. JACOBS (Eyre — Minister for Mental Health) [9.28 am]: I thank the member for Bassendean for his interest in medication in the treatment of psychological illness, and the plight of people with psychological illness. There are increasing numbers of people in our community suffering from mental illness. Recent figures report that as many as one in five people suffer from mental illness at some time in their lives. Although unpublished, these are alarming figures. To summarise, 4 000 children under the age of 10 were prescribed

antidepressants during the past financial year, including 553 under the age of five, and 48 babies. Commenting on the statistics in the article in *The Australian* yesterday, the executive director of the Black Dog Institute, Professor Gordon Parker, said that this prescribing practice was “beyond comprehension”.

John Wray, spokesman for the paediatric division of the Royal Australian College of Physicians, when asked about the situations in which children and babies would be prescribed medication, said that no situation came to mind. My personal experience, as a medical practitioner for over 25 years, is that I cannot remember or recount a case when I needed to prescribe medication for a baby; neither can any other general practitioner in my practice, nor any of my colleagues in my town—even the paediatricians and the people that we used to refer people to cannot. It is indeed a very unusual situation.

In reply to the member for Bassendean, I recognise that there may be some unusual clinical scenarios that just may require medication. For instance, an antidepressant called Tryptanol may be prescribed to stop bedwetting in a 12-year-old child; there may be a post-traumatic stress situation with children who have lost their parents in a tragic motor vehicle accident; babies may experience withdrawal during the post-natal period if the mother was on a very high dose of antidepressant during the pregnancy. But I must say to the member for Bassendean that they are very, very rare events.

To in no way downplay the concerns, I have been advised that the information in the newspaper was extracted by way of freedom of information from pharmaceutical benefits scheme data, administered by the Department of Health and Ageing, by the Citizens Commission on Human Rights. The Citizens Commission on Human Rights is backed by the Church of Scientology, and it is known that that organisation is vehemently opposed to antidepressant therapy. But even so, these figures are indeed alarming and need closer investigation.

As Minister for Mental Health, I need to check the circumstances of prescribing for these situations. Indeed, there are maverick prescribers who are off licence, and, by that, are also liable if the patient suffers side effects. The member for Bassendean did not have time to list those today because of the limits of time, but there are side effects, and if those practitioners do not comply with the prescribing guidelines, then they are prescribing off licence and are liable for the consequences. I need to fully investigate the Western Australian figures; we are working with unsubstantiated figures in a newspaper.

This morning I have tasked my executive director in mental health to investigate and report to me on the situation in Western Australia. I need to write to the federal minister, as suggested, and ask her to drill down into the circumstances of these prescribing habits. Indeed, I will have the pleasure of attending the Council of Australian Governments meeting tonight in Brisbane, where I may come very close to people that we need to talk to who can highlight this to the minister and other ministers of other states and territories at that forum.

I thank the member for Bassendean for drawing this very worrying trend to my attention. I think we need to establish whether there has been inappropriate prescribing practice, because the adage of needing to do good—we must certainly do no harm—must be met.

KINGSWAY TOURIST AND CARAVAN PARK

Grievance

MR P. MILES (Wanneroo) [9.34 am]: My grievance is to Hon Troy Buswell, Minister for Housing and Works and Minister for Commerce. It relates to the plight of 100-odd, mostly elderly, residents of the Kingsway Tourist and Caravan Park within my electorate who are facing eviction from their park homes.

Kingsway Tourist and Caravan Park is a well-established facility that caters for both short-term caravanning tourists and 81 long-term residents. It is located on the corner of Wanneroo Road and Kingsway, adjacent to a medical dental allied health facility, and within walking distance of Kingsway shopping centre. It offers a peaceful environment with a swimming pool, community room and pleasant garden surroundings. There is a wonderful sense of community amongst the long-term tenants at Kingsway, some of whom have been there for 20 years or more. These folks care for one another in many important ways—namely, taking neighbours to hospital appointments, checking on someone who is not feeling well, and just generally looking after each other on a daily basis. Their gardens and homes are, without exception, neat and attractive.

The park occupies some 4.5 hectares in a corner of the new suburb of Madeley, which has grown up around the park over the past few years. As part of the local structure applied to Madeley as a whole, the land on which the park is sited is now zoned urban, after being rezoned from tourism in 2004.

Park home owners at Kingsway, like hundreds of other people throughout the state who live in park home villages, are on a periodic lease agreement, which under the Residential Parks (Long-stay Tenants) Act 2006 provides for either the owner or the tenant to give just 180 days' notice of intention to leave. On Monday, 6 October 2008, Kingsway park home owners were informed in writing by the owner of the park that they had until 15 October 2009 to vacate the park. Whilst the park owner has certainly given a very generous period of notice, this has not quelled the fears of the residents who are now faced with a very uncertain future.

As I said at the outset, most of the affected residents are elderly, and nearly all are on a pension. One of the first people from the park to contact my office was Mr George Jackson, who is 82 years old and suffers from cancer; his wife, who is 81 years old, is currently undergoing treatment for leukaemia. They have lived at Kingsway Park for 10 years, and their park home is more than 12 years old. Mr Jackson is uncertain that he will be able to sell it, which means they have effectively lost their investment.

Earlier this year the park owner held a meeting with residents and assured them that the park would not be sold under any circumstances. Indeed, a number of the new residents bought their park homes during the past 12 months—some as recently as May this year. Until the bombshell of the eviction notice was served residents went on with their lives, believing their tenancies to be secure well into the future.

On a visit to the park on Friday, 10 October I met Sonja, who bought into Kingsway approximately 11 months ago at a cost of approximately \$150 000. Although her park home is relatively new and she could relocate it to another site, she would still need to fund relocation costs and any re-entry costs at a new park village. This can amount to more than \$20 000—money she just does not have.

Not all the residents affected are elderly. Some are still in the workforce and have chosen the park lifestyle village to suit their particular life circumstances. One such person I met was Wayne, who is a fly in, fly out worker. He bought into his park home in Kingsway to have some base when in Perth, as he is separated but needs to be close to his children whom he sees on weekends when he is in Perth, and felt a park home was the ideal solution.

I have also met with other park residents, who I will not name, who feel so overwhelmed with anxiety at the prospect of being homeless that they have seriously considered suicide. My office has, of course, sought appropriate psychiatric intervention for those people. I mentioned that fact to highlight the very difficult financial and emotional circumstances that are now facing park home owners at the Kingsway Tourist and Caravan Park. The small number of residents who will be able to find the funds needed to relocate their park homes still face many hurdles: namely, finding another park that has vacancies in the metropolitan area and that is close to family, medical services, shops, hospitals etc; whether their park home is acceptable to the owner of another village; whether their park home can be transported; the cost of transportation, which runs into thousands of dollars; entry costs to a new site; and emotional dislocation from their current village community.

The legislation that regulates residential parks is a legacy of the previous Labor government and does not provide sufficient protection to park home residents. In fact, the whole purpose of the 2006 legislation was to give all long-stay tenants secure tenure. Instead, park owners have opted for periodic tenancies rather than fixed-term leases. Under periodic tenancies, residents can be given as little as 180 days' notice to vacate a park, which means that they must move not only themselves and their belongings but also their homes within 180 days. Park owners are not required to give any reasons for this action. That is a denial of natural justice. It is fair to say that the legislation is biased towards the interests of park owners to the detriment of long-term residents. I strongly believe that the legislation needs to be urgently amended to ensure that the residents of the 30 other park villages across Western Australia do not face the distress that residents of Kingsway Tourist and Caravan Park are experiencing from this eviction process. We have a moral responsibility to assist these residents in their hour of need. We need to ensure that the act is amended to prevent the heartache that is being felt by residents of the Kingsway Tourist and Caravan Park from being felt by residents of park home villages elsewhere in Western Australia.

MR T.R. BUSWELL (Vasse — Minister for Housing and Works) [9.41 am]: I thank the member for Wanneroo for raising this matter not only in the house today, but also from the day on which he was first elected. I assure the house and the residents of Kingsway Tourist and Caravan Park that he has vigorously raised the matter on behalf of residents. I share the member's concerns about the situation that is faced by not only his constituents who live at Kingsway Tourist and Caravan Park, but also potentially others who could be caught up in similar situations as we move forward.

I will quickly address the specific concerns that have been raised about the closure of Kingsway Tourist and Caravan Park and the uncertainty that is faced by its residents. I confirm that in early October this year, residents of Kingsway Tourist and Caravan Park were served notices by the park operator requiring them to vacate their sites by 19 October 2009. I have received advice that these were lawful eviction notices and ones that certainly provided notice well in excess of the 180 days' notice that is currently required under the act. However, we must also note that this has been a deeply distressing matter for many residents.

This situation has highlighted some short-term and long-term issues. I will start with the short-term issues that relate specifically to Kingsway Tourist and Caravan Park and provide the house with an update of what the government has attempted to do. Of course, residents of the park have been visited by officers from both the Department of Consumer and Employment Protection and the Department of Housing and Works to try to work out a solution as we move forward. Officers from the Department of Consumer and Employment Protection have

advised residents of their rights and are at the ready to investigate any complaints of any potential breaches of Western Australian consumer protection laws. The officers have highlighted some issues with the existing regulatory regime, as did the member for Wanneroo, which I will talk about in a minute. Officers from the Department of Housing and Works have also visited the caravan park. Thus far, the department has received 24 applications for public housing assistance and all but one of those residents was found to be eligible for public housing assistance. The Department of Housing and Works has also indicated that the residents of Kingsway Tourist and Caravan Park will be placed on a priority public housing waiting list so that they can be dealt with as soon as possible. Notwithstanding that advice, residents who want to relocate their park homes face broader issues. We are still working with the member for Wanneroo to address those issues.

Broader issues concerning the residential park industry and park home living have been highlighted. I will spend a little time providing some background to those issues. There are generally two types of park home villages in Western Australia: mixed-use parks that generally provide both permanent accommodation and temporary or tourist accommodation, and what are generally termed lifestyle villages or park home estates that, by and large, cater solely for permanent residents and often provide amenities such as swimming pools, recreation centres and storage areas for boats and, strangely enough, other caravans. We would all be familiar with those types of residential parks. It would be fair to say that residential parks provide a unique tenancy arrangement. Some residents own their own homes on a plot of land that they lease, while others lease not only their home but also the plot of land.

As the member for Wanneroo indicated, residential park homes are regulated by the Residential Parks (Long-stay Tenants) Act 2006, which passed through the Parliament with bipartisan support. The act regulates tenancy arrangements between park operators and residents. The act does not apply to holidaymakers or the tourist class of users of these parks. The act commenced on 3 August 2007 and sought to balance the tenancy rights of park residents, including those residents who own their own park homes, with the need to maintain investment in the residential parks industry. It is a difficult balance to achieve. The act placed a number of obligations on park operators; for example, operators must provide residents with copies of written agreements and more disclosure material than was previously provided, and there is a mandatory cooling-off period. A variety of changes were made in an attempt to formalise the relationship between residents and owners. It was also anticipated that park operators would offer fixed-term agreements of a significant duration to park home residents. I met some time ago with the Park Home Owners Association WA. It would be fair to say that the expectations raised by the act have not been delivered for a lot of residents, and therein lies a lot of the issues.

As the member for Wanneroo said, this is a difficult matter and one that has caused enormous stress. I sought further advice from officials within my departments and was told that a number of other park home residents across Western Australia may face a similar plight, if for no other reason than that there has been a significant increase in the value of land, particularly on the urban fringe and in coastal areas, which is putting a lot of pressure on these parks. The supply of this type of accommodation is under pressure while demand for it is rising, because it is a very attractive lifestyle option for a lot of people.

The government will do a couple of things, largely in response to the issues that have been vigorously raised by the member for Wanneroo. A working group has been convened with representatives from the Department of Housing and Works, the Department of Consumer and Employment Protection, the Department for Planning and Infrastructure and the Office for Seniors Interests. The working group has two objectives. The first objective, which is being led by DPI, is to identify sites that could potentially be utilised as caravan parks within 12 months. The second objective is to establish a set of protocols to enable the government to better deal with similar situations as they arise in the future. There are other issues clearly associated with the act. I intend to write to the Economics and Industry Standing Committee to request it to conduct an inquiry into the issues that have been highlighted by the member for Wanneroo. Those issues include: the impact of existing housing, planning and tourism strategies on the residential parks industry; the availability of land suitable for residential parks; the impact of the planning approvals process on residential parks and the extent to which this process sufficiently takes into account the interests of park residents; and, importantly, the effectiveness of the laws regulating park homes. I again thank the member for Wanneroo for raising this issue, which is an important issue for not only his constituents but also, I suspect, thousands of people across Western Australia. We will work with the member and residents in an attempt to come up with some meaningful solutions.

REGULATION 280 ROAD TRAFFIC ACT — EMERGENCY VEHICLES

Grievance

MS M.M. QUIRK (Girrawheen) [9.49 am]: My grievance is to the Minister for Police; Emergency Services; and Road Safety. The issue I will raise today applies to the drivers of emergency vehicles, but particularly to police and firefighters. I understand that it may also apply to St John Ambulance drivers; however, they may have entered into separate administrative arrangements that may ameliorate their position.

The provisions of regulation 280 of the Road Traffic Code exempt emergency vehicle drivers who take reasonable care and when a vehicle displays a red or blue flashing light or sounds an alarm. However, following changes to the owner-onus provisions of the Road Traffic Act, when a driver of an emergency vehicle exceeds the speed limit and is captured by a speed camera, a notice requesting information is now issued. In the case of police, the Commissioner of Police has 28 days to respond to notify the identity of the driver. Previously, within that 28-day period, if inquiries disclosed that the officer driving was in fact responding to an emergency call consistent with the provisions of regulation 280, all the driver needed to do was furnish a written explanation to his supervisor and the matter would not proceed any further. Now, however, infringement notices are issued to the drivers even though they are legitimately responding to an emergency and are doing their jobs. This is a major concern because there is no longer the capacity to provide a written explanation prior to the issue of the infringement notice.

A mechanism needs to be in place prior to the issue of a traffic infringement notice to take into account whether an emergency exemption should be granted. It is only after the traffic infringement notice is issued that an officer is asked why the notice should be withdrawn. There are particular concerns about the issue of traffic infringement notices. Firstly, notices are often posted to an officer's home address, even though the offending driving relates to his official employment. Secondly, a traffic infringement notice has the potential to impact upon an officer's private insurance arrangements; the mere issue of a traffic infringement notice may well give rise to a duty of disclosure by the insured to notify his insurer, which may result in an increase in the premium or excess simply on the basis of the issue of the infringement notice. Thirdly, the time taken to compile reports to request the withdrawal of a traffic infringement notice can and does have an adverse impact on operational areas. Fourthly, the administrative procedures mean that the provision of a written explanation after the issue of a traffic infringement notice puts emergency vehicle drivers in a different position from members of the general public who are not required to disclose their defence to the charges prior to the case being determined by a court.

I understand that feelings amongst emergency medical personnel are running very high about this issue. The current regime could be described as putting the cart before the horse. I understand that a number of emergency personnel are taking the option to go to court and defend their cases and that they are being acquitted. They are doing this because they regard it as less administratively cumbersome than the current alternative. I must say it is not ideal that valuable court time is being wasted dealing with what are essentially administrative issues.

An amendment to the Road Traffic Act is sought to remedy the current unsatisfactory situation. This amendment would prevent the issue of an infringement notice to an emergency vehicle driver until he has had the opportunity to furnish a written explanation to the police commissioner, and in the event that the explanation is not supplied or is unsatisfactory, a traffic infringement notice can be issued. The Minister for Police is renowned for approaching issues with commonsense and I urge him to inject some commonsense into this ludicrous situation.

In the broader context of owner onus, I noticed that in the Auditor General's "Second Public Sector Performance Report 2008" tabled yesterday, there is an examination of traffic infringement notices incurred by government employees driving agency vehicles. The report found that in 12 per cent of infringements no agency driver was identified and that systemic weaknesses contributed to the failure to identify drivers. In particular, the Auditor General found there was a systemic flaw leading to an increased risk that individuals might manipulate the system to avoid receiving traffic infringement notices and the ensuing demerit points on their drivers' licences. This inference was drawn because there were cases in which infringements were being paid even though no driver had been identified. The question of whether there was widespread impropriety by government employees was left open.

Given these two issues, it seems timely to revisit the whole issue so that our emergency personnel can perform their very important role in protecting and serving the community without becoming embroiled in an overly burdensome and unproductive administrative and legal process. In the second instance I raised, a more robust system for government employees is needed to ensure that the potential to manipulate the system and for impropriety is eliminated.

MR R.F. JOHNSON (Hillarys — Minister for Police) [9.55 am]: It must be the season of goodwill. I thank the member for Girrawheen, my shadow —

A government member: Your stalker.

Mr R.F. JOHNSON: No, not stalker—my shadow.

I thank her for complimenting me for approaching issues with commonsense. That is very kind of her and I hope this generous feeling stays for a very long time.

I thank the member for her grievance and I understand there is a bit of a problem. First of all, I could say exactly the same things that the member has said today because I am sure that the same person who wrote to her about this issue also wrote to me.

Ms M.M. Quirk: It is a letter that the police union wrote to the minister and to his predecessor.

Mr R.F. JOHNSON: Correct.

Ms M.M. Quirk interjected.

Mr R.F. JOHNSON: I thank the member; that is fine. I wrote back to the Western Australian Police Union of Workers. For the member's benefit, my response stated —

Thank you for your letter of 7 October 2008 concerning your proposal to amend the *Road Traffic Act 1974* with respect to Photographic Infringement Notices issued to Police Officers.

The Western Australia Police have advised that they have previously received correspondence in relation to this issue and responded to the WA Police Union of Workers on 14 May 2008. I have been provided a copy of this response and I am advised that the Police position with regard to this issue has not changed.

Notwithstanding this position, I have provided your correspondence to Police for further noting of your proposal.

My predecessor, the member for Balcatta, obviously did not take any action because nothing progressed. We now have a different police minister and, as the member said, I try to approach issues with commonsense.

Mr C.J. Barnett: Man of action.

Mr R.F. JOHNSON: I am a man of action; absolutely! RoboCop!

I will certainly take —

Mr C.C. Porter: “RobboCop”—smoking gun.

Mr R.F. JOHNSON: Smoking gun, yes. Most people say I look like Steve Martin, but that is another story.

Mr C.C. Porter: I was going to say Tom Cruise.

Mr R.F. JOHNSON: No, only in my dreams!

I have some sympathy for our emergency service drivers whether they are ambulance drivers, firefighters or police officers. As members know, under the Road Traffic Act if they had their “blues and twos” going, as people say in the United Kingdom—the red and blue lights flashing—or the sirens sounding, that is an automatic “get out” clause, if I can call it that; that is, they are exempt from any infringement notices etc. However, a system is in place and as far as I am aware it is only the police union that has an issue with this.

Ms M.M. Quirk: And the firefighters.

Mr R.F. JOHNSON: I have not been approached by the firefighters; not to my knowledge anyway. Information I have been given about the firefighters from the Fire and Emergency Services Authority states —

FESA and WA Police have a process in place whereby when an infringement is issued FESA provide WA Police with details of the driver within the timeframe requested. WA Police then issue an infringement notice to the person involved. FESA advise the driver of the situation and that WA Police will be forwarding the notice to them. In the mean time FESA establishes whether the infringement occurred during an incident response. If this is the case then FESA will provide the appropriate incident details to WA Police. Upon receiving notification that the infringement occurred as a result of an incident response WA Police effectively withdraw the infringement notice.

That is what happened with the Fire and Emergency Services Authority. Obviously, if the lights were going and the sirens were on, there would no question of the matter going any further.

Sometimes, it is fair to say, the Commissioner of Police tells his officers—I would say the same—that no police officer is above the law, and that includes the Road Traffic Act. Sometimes a police vehicle is caught on camera exceeding the speed limit. Police drivers are the same as any other drivers on our road. They may not be watching the speedometer, exceed the speed limit by, for example, more than 10 kilometres an hour and get clipped. There is no question that they should not be doing that. I am sure the member for Girrawheen would agree that they should not be speeding. It does not matter whether we are discussing a police officer or a civilian driver; as far as I am concerned, road safety is a major issue and a top priority. If police officers simply want to get from place A to place B quickly for their personal reasons—let us be realistic; throughout the world police officers sometimes speed—they should not speed. Police officers should not speed unless they are responding to an incident. It is as simple as that.

The member outlined the system quite adequately and I will not repeat everything that she said. I will take up this issue with the police commissioner to see whether a more appropriate system can be put in place.

Ms M.M. Quirk: It would be timely to do it because they are looking at the stuff that came out of the Auditor General's report yesterday, and they could do the whole thing together.

Mr R.F. JOHNSON: Indeed. I think both the member for Girrawheen and I share a degree of commonsense and agree that the appropriate action should be taken at the appropriate time. I do not want to put through the mill those police, fire or ambulance officers who drive vehicles, simply for doing their job; they do a very hard job compared with a lot of other people who use the roads. However, they have to set an example.

I give the member the commitment that I will take this up with the Commissioner of Police to see whether we can change the system to some extent to make life a bit easier. However, let me say this: if officers speed when they should not be speeding, I will have no sympathy for them and will expect them to pay the infringement notice like any other civilian. At the end of the day, we will approach this problem with commonsense.

457 VISA HOLDERS — ENGLISH LANGUAGE COURSES

Grievance

DR M.D. NAHAN (Riverton) [10.02 am]: My grievance is to the Premier and Minister for State Development. I wish to bring to the Premier's attention, and to the attention of the house, a serious and growing gap in the Rudd government's so-called education revolution and in the funding of state schools.

The state schools in my electorate of Riverton are being put under increasing stress by the growing number of children of 457 visa holders who attend the schools without additional financial support to meet their English language training needs. Because of the quality of schools in Riverton and local affordable housing, increasing numbers of 457 visa holders are deciding to live in Riverton, and, as is happening elsewhere in the state, primary 457 visa holders are increasingly deciding to bring their families with them, including school-aged children.

I and the schools of Riverton welcome these families to Australia and to Riverton. The state needs their skills and they are a valued source of future permanent migrants. They are welcomed and wanted. The problem lies with the extra demands that these kids impose on the schools, and with the failure of the Rudd government to plan for and fund those needs.

Although most primary 457 visa holders have a good to passable command of English, their children often do not; indeed, an increasing number of visa holders come from non-English-speaking countries, and their children have a deficient command of English.

Mr P. Papalia interjected.

Dr M.D. NAHAN: No; we do not need him.

Across the state schools that I recently surveyed in my electorate, 205 children from 457 visa holding families had special English language needs. This represents five per cent of the total enrolment in these schools. The principals have indicated that the number of these children has been rising and continues to rise rapidly. The issue is about not only the number of children with special needs, but also the diversity of their needs, ages and backgrounds. The children range from preschool to year 11 and have language skills that range from weakness in English to no English at all. They come from 10 different countries and speak 11 different languages. Naturally, the schools welcome these children; however, they lack the funding to teach English as a second language.

There is also a lack of planning. The schools are rightly required to take children from their catchment area, subject to capacity constraints. Although there is always a bit of uncertainty about the demand from local kids, the schools appear to have a good control over it. However, there is no information, data or planning for 457 visa holders; moreover, the number of 457 visa holders can vary sharply and significantly. Last week, for instance, one school experienced four new 457 visa children arriving at its door, unannounced, with special English needs. Teachers are not complaining. They are happy to do their best for these children, but it is testing them and increasing their level of frustration. The schools are not complaining, but they are feeling more stretched. Imagine how a teacher feels trying to teach a very bright and eager young child from China who does not speak a word of English, while at the same time trying to teach 30 other children.

The state is meeting its responsibility. It provides funding for the children of 457 visa holders in the same way as it does for all children, and it provides a good deal of TESL—teaching English as a second language—or special English language courses. The deficiency lies with the commonwealth. Holders of 457 visas are a commonwealth responsibility. These migrants are in the country on a temporary work permit under work arrangements regulated and controlled by the commonwealth. The commonwealth has recognised the special English language needs of new permanent migrants and some classes of temporary migrants. It provides funding to the schools of \$5 787 a child for permanent and some classes of temporary migrants, and \$11 572 a child from the migrant humanitarian stream. However, the commonwealth fails to provide funding for the English language needs of children of 457 visa holders; nor does it require the primary 457 visa holder or his or her employer to meet the cost of these special educational needs. The commonwealth is also failing to provide information to the

schools about the number of 457 visa holders. The commonwealth does not provide up-to-date data, let alone indicative numbers, on 457 visa holders, the numbers and demands of their accompanying children or their probable state of residence. The commonwealth does not even collect data from the schools about the number and demands of current 457 visa students.

This is a serious deficiency of the 457 visa program and the commonwealth funding of schools. It is also a major gap in the Rudd Government's so-called education revolution. The reported aim of the so-called education revolution is to improve the performance of schools, specifically in the area of English language skills. The so-called education revolution has led to the imposition of a raft of new performance requirements on the state and state schools, and the provision of some funding to high-profile areas such as computers, yet the Rudd government has failed to focus on and fund this expanding area of commonwealth responsibility. In other words, it has closed its eyes and handballed its responsibility for these children to the states and the state schools. The golden rule of state-federal relations should be for each jurisdiction to address first its own area of responsibility before interfering in the responsibilities of other jurisdictions. The Rudd government has once again failed to meet this rule in its interactions with the state and its involvement in education.

The schools in Riverton are not alone. My colleague the member for South Perth has told me that, of a student body of 270 children, Como Primary School has 50 children from 457 visa holding families with special English needs. That means nearly 20 per cent of the children in the school have unfunded special English needs.

I understand that many schools in the state are experiencing the impact of a sizeable number of children from 457 visa holding families and their related demands for additional educational needs. I ask the Premier to raise this gap with the Rudd government and to seek funding for English language training for the children of 457 visa holders that is on a par with the funding provided for the children of permanent migrants and other classes of temporary migrants, and to do so as an issue of priority.

MR C.J. BARNETT (Cottesloe — Premier) [10.09 am]: I thank the member for Riverton for that grievance. It is an issue that comes to me under federal-state responsibilities, but it clearly is also primarily an education issue. The member has raised an important issue, particularly for Western Australia. The 457 visa system has been effective in attracting skilled workers to Australia. Despite the current economic problems, one would expect that the number of 457 visa workers coming to Western Australia will continue to grow and that, therefore, the number of students in the school system will also continue to grow.

I think there are two broad issues. The first is the commonwealth-state funding issue, which has been detailed by the member for Riverton. The second issue related to that is how schools deal with it within their school environment.

I will add a bit more information to the detailed information already provided by the member for Riverton. The number of non-English-speaking students with temporary 457 visas entering public schools in this state has increased by 30 per cent a year, which is a massive increase, since 2001. It is estimated that more than 800 students in the Western Australian school system fit into that category. Therefore, it is a significant number, and if that 30 per cent growth rate continues, it will be far larger. In addition, to add to the complexity, the number of humanitarian refugees attending public schools is also increasing. They come principally from Sudan, Afghanistan, Kenya, the Congo, Burma and China. In 2000 there were 500 of those students; today there are 969. So the number has virtually doubled in that seven-year period. Therefore, 457 and humanitarian migration, plus traditional migration, are adding to the problem.

I know that this is not the prime point of the member's grievance, but Western Australia has 102 English as a second language programs operating in our schools, and I am sure that all members have examples of that within their electorates. My electorate might be the exception. At what is now Mount Claremont Primary School—it used to be Graylands Primary School—there was an ESL program. That was moved, I think, to around Balcatta or Nollamara on the basis that it would be closer to where many of those students lived. The families concerned did not want to move. They wanted to stay at Mt Claremont, the school community wanted them to stay there, and I, as the local member, wanted them to stay there, but that did not happen. The reason is that it was a small school. Those students formed a significant part of the school population. It did not lead to any overcrowding problems. Not only did the school deal with it very well, but also the broader community of Claremont and Mt Claremont was very supportive of those children and, indeed, their families. They were perhaps in a position to help, and did help. There was a feeling that perhaps the total level of support around those children and their families was strong because it was a reasonably prosperous area where people were able to help. However, the counter factor was that the children had a fairly long trip to get to school. I think those programs are well catered for and well run.

The point the member for Riverton has made is that at schools that do not necessarily have special language programs, the number of these children is growing, particularly in the member's area south of the river. It is particularly pronounced in that area and is, ironically, a consequence of the good schools in the area, in particular

the high schools. We all know that there is a premium on real estate around Willagee Senior High School, in the former Premier's area, and Rossmoyne Senior High School.

Mr A.J. Carpenter: Willetton, I think.

Mr C.J. BARNETT: I am sorry, Willetton Senior High School. They are good schools; they are outstanding government schools. They attract new families to this country, and therefore have to face that issue.

I will certainly take up this issue with the federal government. The member made a very valid point that, although extra funding is in place for humanitarian migration and ordinary migration, this category seems to have missed out. In my view, it should be treated consistently. However, it is also the case that Western Australia, unlike the other states, does not make special discrete funding available to these students in those schools. That is our responsibility. Therefore, I will ask the education minister to look at what is provided in this state compared with other states, and I will also take up the issue with the commonwealth.

Although the member for Riverton did not suggest it, it is an issue that is growing so strongly in this state that perhaps a parliamentary committee might look into it. The member has raised an interesting point, and it has widespread implications, not only for these children and their families, but also for a large number of schools in our state. It will be a growing problem. If the Parliament was of the view that there should be a committee inquiry, I would certainly be supportive of that. I believe it is an issue that should be looked at carefully. What has happened? Are we looking after these children as well as we can? Is it in any way having a damaging effect on schools or on other children's education, and can we do it better in the future, because it is a real and growing issue for our education system?

I thank the member for raising this important issue. As I said, I will speak to the education minister about it, and we will both take it up at a federal-state level.

PROCEDURE AND PRIVILEGES COMMITTEE

First Report — "Procedure and Privileges Committee's Response to Matters Raised in Corruption and Crime Commission Reports Referred under 27A of the CCC Act" — Tabling

MR M.W. SUTHERLAND (Mount Lawley) [10.15 am]: I present for tabling the first report of the Procedure and Privileges Committee of the thirty-eighth Parliament, entitled "Procedure and Privileges Committee's Response to Matters Raised in Corruption and Crime Commission Reports Referred under 27A of the CCC Act".

[See paper 491.]

Mr M.W. SUTHERLAND: The tabled report is entitled "Procedure and Privileges Committee's Response to Matters Raised in Corruption and Crime Commission Reports Referred under 27A of the CCC Act". The report concerns the two reports that were produced under the provisions of sections 27A and 27B of the Corruption and Crime Commission Act 2003. From the outset I wish to say that the committee makes no comment on the members who were the subject of those inquiries but, instead, addresses issues arising from those reports in relation to the house and its procedures.

It is very interesting to again remind members of the process that takes place under sections 27A and 27B of the CCC act, which explains why the committee seeks to respond to the reports, even though the reports are tabled in the name of the committee, albeit the previous committee.

If there is an allegation of misconduct, which is not serious misconduct, against a member of the Legislative Assembly in the performance by him or her of the functions of that office, the CCC brings the allegation to the attention of the Speaker. The Speaker is obliged to refer the matter to the Procedure and Privileges Committee, at which point the PPC has to decide whether the matter should be investigated. If the PPC decides that the matter should be investigated, it must request the CCC to inquire on its behalf, so it is referred on. This request confers upon the CCC the powers, privileges, rights and immunities of a committee under the Parliamentary Privileges Act 1891. This enables the CCC to inquire into matters involving parliamentary privilege, which it otherwise is unable to do. The CCC then produces a report, which is received by the Speaker and the PPC. The Speaker is required to table this report on the next sitting day following its receipt.

This accounts for the "Report on Issues Relating to Record Keeping in the Ministerial Office of the Hon John James Mansell Bowler MLA" being received by the Speaker of the previous Parliament on 7 August 2008, but not tabled until 6 November 2008. The Assembly was dissolved the day the report was received. The committee of the previous Parliament did not have the opportunity to formally respond to the recommendations and other matters raised in either that report or the previous report, "Inquiry Conducted Into Alleged Misconduct by Mr John Edwin McGrath MLA, Mr John Robert Quigley MLA and Mr Benjamin Sana Wyatt MLA", which was tabled on 10 June 2008. However, the current PPC takes the view that it is important to address the major recommendations before the house rises today.

In relation to the inquiry conducted into alleged misconduct by Mr John Edwin McGrath, MLA, Mr John Robert Quigley, MLA, and Mr Benjamin Sana Wyatt, MLA, the CCC made two recommendations. The first recommendation stated—I intend to read out that recommendation—according to the report —

... that consideration be given to formulating a procedure for the disclosure of approaches made to committee members by those wishing the member to take a particular position in respect of a matter which is before the committee or may come before it for consideration or a decision. Such disclosure would assist in ensuring that the significant powers of committees are not improperly used for the purpose of advancing private interests. Disclosure requirements should include the name of the person who made the approach, the interest that they represented and the position that they advocated. It would be desirable if disclosures were made at the commencement of each meeting and recorded in the minutes.

The committee is of the view that a number of issues are arising from this recommendation. Members of Parliament, as we all know, are approached by a broad range of people for a broad range of purposes. It is a proper part of their duties to hear many views. It would be simply unworkable if members had to disclose each and every person who discussed an issue with them. Further, disclosing contact with lobbyists or others may well act as a deterrent for members seeking a wide range of opinions on an issue, if these people are perceived to represent extreme or unpopular views. There is also a danger that the member may be perceived as being influenced by a lobbyist who happens to hold similar views to that member. It is the view of the Procedure and Privileges Committee that, if a member decided to act improperly, the requirement to disclose would not preclude such action, so the attendant effect behind the recommendation would not be achieved.

In summary, it is the view that it is not lobbying as such that is the issue but how members exercise their judgement in relation to such lobbying. It is a matter for the house and for individual members rather than simply the PPC to determine. I will read out again the second recommendation, which states —

... that consideration be given to formulating guidelines for the drafting of motion by Members, specifically that Members should be cautious about accepting the assistance of lobbyists in this regard, given that the interests of lobbyists or their client may not be revealed or be readily apparent. Members should exercise care to ensure that they do not become either the willing or unwitting instrument for advising private interests. Members should also consider whether if assistance in drafting a motion is received, it may be appropriate to disclose that fact.

In relation to this recommendation, the PPC takes the position that a member must exercise his or her individual judgement when seeking assistance to draft motions. It is entirely proper for members to canvass a broad range of views in this process. Furthermore, if sources of assistance somehow had to be registered, there is a very real risk that these sources, rather than the motions themselves, may become the focus of debate. Further to that, some general comments were made by the CCC regarding the operations of sections 27A and 27B of the CCC act. The PPC may investigate these matters at a later stage.

In relation to the second report, the “Report on Issues Relating to Record Keeping in the Ministerial Office of Hon James Mansell Bowler, MLA”, the PPC notes that matters discussed concerned Mr Bowler’s conduct as a minister rather than as a member of the Legislative Assembly. Because the conduct described in the report is outside the normal jurisdiction of the PPC, given that his activities were in relation to his ministerial office and not his actions in the house or its committees, the PPC makes no comment on those matters. I commend the report to the house.

APPOINTMENT OF MR PETER CONRAN — CENSURE OF PREMIER

Standing Orders Suspension — Motion

MR E.S. RIPPER (Belmont — Leader of the Opposition) [10.23 am] — without notice: I move —

That so much of the standing orders be suspended —

The SPEAKER: Is the Leader of the Opposition speaking to the PPC report?

Mr E.S. RIPPER: No.

The SPEAKER: Do other members wish to speak to the report. Given there is no-one, the Leader of the Opposition has the call.

Mr E.S. RIPPER: Thank you Mr Speaker, I appreciate that. I move —

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

That this house censures the Premier for misleading the house in relation to the appointment of Mr Peter Conran and in particular in relation to his knowledge of the composition of the selection panel that appointed him.

I am prepared to argue why a suspension of standing orders is necessary in this circumstance. I do understand that there might be acceptance from the government that this motion can be debated, and I seek some guidance from the Leader of the House whether he wishes me to argue for the suspension or whether we can deal straight away with the substantive motion.

The SPEAKER: Before the Leader of the Opposition continues, he will need to deliver a signed copy of the motion to the Clerk.

Mr E.S. RIPPER: On the understanding that the government will allow the suspension of standing orders, it will not be necessary for me to advance my argument on the substantive motion.

MR R.F. JOHNSON (Hillarys — Leader of the House) [10.25 am]: The government is happy to give the opposition the opportunity to debate the issue it wants to suspend standing orders for. However, I will seek to amend the motion, in the same way members opposite did when they were in government. In accepting that amendment, the opposition will get two bites of the cherry: the equivalent of two matters of public interest.

Mr E.S. Ripper: We won't oppose that amendment.

Amendment to Motion

Mr R.F. JOHNSON: I move —

To insert after “motion” —

and the debate proceed in accordance with the time limits of a matter of public interest

That means that each side will be allocated half an hour to speak.

Amendment put and passed.

Motion, as Amended

Question put and passed with an absolute majority.

Motion

MR E.S. RIPPER (Belmont — Leader of the Opposition) [10.26 am]: I move —

That this house censures the Premier for misleading the house in relation to the appointment of Mr Peter Conran and in particular in relation to his knowledge of the composition of the selection panel that appointed him.

Parliament is the centrepiece of our system of accountability. It is the Parliament's job, firstly —

Point of Order

Mr R.F. JOHNSON: The clock is showing 60 minutes. This debate is being run as an MPI so each side should be allowed 30 minutes.

Debate Resumed

Mr E.S. RIPPER: Parliament is the centrepiece of our system of accountability; we know that. It is the Parliament's job to hold the executive accountable. It has been confirmed to us by a royal commission report on accountability in Western Australia. Telling the truth in Parliament is absolutely essential for Parliament to play its role in holding the executive accountable. We also value very much the institution of Parliamentary privilege. Parliamentary privilege, the right for members to raise issues without fear or favour in this house, is put at risk if people use that privilege to mislead the house, whether it be through incompetence or recklessness or whether it be deliberate. It is particularly important that these rules be adhered to, in fact championed, by the Premier. The Premier is the most prominent member of this house. The Premier is the person the public most recognise as a member of Parliament. The Premier is the standard setter for government ministers and for his backbench. When there is an issue of the Premier misleading the house, that issue needs to be handled with the utmost seriousness and urgency.

I want to remind people very quickly what we are dealing with here. We are dealing with a political appointment to a very senior public service position; namely, that of Director General of the Department of the Premier and Cabinet. We are dealing with an appointment of a person, Peter Conran, who, on the evidence of his own curriculum vitae on the internet, has served in three federal electoral campaigns for the Liberal Party at Liberal Party headquarters working on policy matters. He has served also as the cabinet secretary to John Howard. The Premier has tried to pretend that that is some sort of public service position; that he is just a public servant. I ask the Premier: if that is the case, why is Deidre Willmott, his chief of staff, the cabinet secretary to the cabinet of Western Australia? Why has he abandoned the practice of the Gallop and Carpenter governments of having an independent public servant as cabinet secretary? The Premier has shown by the appointment of Deidre Willmott as cabinet secretary that he regards that position as a political position. That was the position that Peter Conran

occupied with John Howard and, before that, he was explicitly an adviser to John Howard in his office. I would be interested to know whether Mr Conran worked for a Labor government at any level of seniority. It would be interesting to have an answer to that question. However, there are two more important questions; firstly, Mr Conran's appointment and, secondly, the propriety of the process and his appointment. That goes directly to the composition of the panel, to any influence that might have been exercised by the Premier or his chief of staff on the composition of the panel, and to the knowledge of the Premier and chief of staff of the composition of that panel.

Quite frankly, Western Australians would find it very difficult to believe that it was an accident that the panel comprised a former leader of the parliamentary Liberal Party, a former chief of staff to a Liberal Party minister, and a former office-holder in the extra-parliamentary Liberal Party who is the brother of Noel Crichton-Browne. The people of Western Australia would find it very difficult to accept that having a panel that includes Barry MacKinnon and Peter Browne is an example of honesty and integrity in government and an example of proper process. The panel comprises a junior director general, a former leader of the parliamentary Liberal Party and a former office-holder of the extra-parliamentary Liberal Party, who is also the brother of Noel Crichton-Browne. If that is not bad enough, now we find that there were two panels. That was panel two. Panel one comprised Cheryl Gwilliam, a relatively senior director general now, John Langoulant and Peter Browne, who is still on the panel. What happened was very interesting and it is set out in the following answer to a question that was provided in the upper house —

The panel comprised Cheryl Gwilliam, the Director General of the Department of the Attorney General, as chair; Peter Browne; and John Langoulant. She —

That is the Commissioner of Public Sector Standards —

notified Mal Wauchope, the then Director General of the Department of the Premier and Cabinet, of this panel. She also phoned and left a message with Deidre Willmott, the Premier's chief of staff, to this effect. The following week, both Cheryl Gwilliam and John Langoulant advised that they were no longer available due to interstate commitments. The commissioner then formed a second panel comprising Jennifer Matthews, Peter Browne and Barry MacKinnon.

After a phone message to Deidre Willmott there was the mysterious disappearance of two members of the first panel and the sudden appearance of Barry MacKinnon on the second panel. I do not think that the public will find that a very credible approach to the proper process of the appointment of the panel.

Clearly, we are concerned about what knowledge or influence the Premier and his office might have had on this matter. I asked a question about that. I specifically asked the Premier on Thursday, 27 November, by way of interjection, the following question —

Did you know the composition of the panel beforehand?

The Premier answered —

No; I did not know the composition beforehand. I had no role in who served on that panel.

Mr C.J. Barnett: I made it very clear.

Mr E.S. RIPPER: That is what the Premier said. He did not make it very clear. The Premier was asked —

Does the Premier seriously expect the people of Western Australia to believe that a selection panel dominated by former Liberal Party leader Barry MacKinnon and Noel Crichton-Browne's brother, Peter Browne, was ever going to do anything else but parachute Mr Conran into this position?

As the Premier answered the question, I asked by way of interjection —

Did you know the composition of the panel beforehand?

The Premier answered no. That misleading of the house, which I will demonstrate in due course, also occurred in the upper house. The Premier was asked the following question through the leader of the other place —

Was the Premier involved in any discussions about the make-up of the selection panel?

The Premier answered —

No. The Premier's chief of staff was kept informed of the composition of the selection panel but provided no comment or input.

The Premier answered once here and once in the other place that he had no knowledge of the composition of the panel, and in the other place he implied that it was only his chief of staff who had been kept informed of the composition of the panel.

Mr C.J. Barnett: Leader of the Opposition —

Mr E.S. RIPPER: I will let the Premier interject in a minute.

I come to the critical point, because the answer provided in the upper house yesterday states —

On 28 October 2008, the commissioner met with the Premier and his chief of staff under section 45(4) of the Public Sector Management Act and notified him of the panel.

We have evidence from Hon Norman Moore's answer in the upper house that the Premier was advised of the composition of the panel beforehand.

Mr C.J. Barnett: I told you that last week.

Mr E.S. RIPPER: What the Premier told us was that he had no information. Does the Premier want me to go back to the question? It is as follows —

Did you know the composition of the panel beforehand?

The Premier's answer was no. The Premier has misled the house, and that is a very important issue. That is illustrated in the numerous quotes from the Premier in which he tried to say that the process has been honest and conducted with propriety.

I quote from the *Hansard* of Thursday, 6 November, to again show the hypocrisy of the Premier —

That position will be filled by the Commissioner for Public Sector Standards. Advertisements have been placed, a panel will be formed, interviews will be conducted and at some stage a recommendation will come to me and cabinet. The Opposition has difficulties with a government that handles issues with propriety and due process, something the Leader of the Opposition does not understand

I understand the need to be truthful to this Parliament; I understand the need to take care with accuracy in statements a person like the Premier might make to this Parliament; and I understand that the Premier has misled the Parliament. He needs to apologise to this house and the people of Western Australia for his misleading. He misled us in general when he talked about the process being conducted with propriety; he has misled us, in particular, by the way in which he answered a question about his knowledge of the panel composition and the timing of his knowledge of that panel composition in this place; and he has misled the Legislative Council by his answer there that he did not know about the composition of the panel.

This is important because the Premier has a defence against the accusation that he sought to influence the composition of the panel, if he can say that he did not know about the composition of the panel beforehand. How can the opposition argue that the Premier had some influence over the composition of the panel, if he says that he did not know about it beforehand? In fact, the Premier did know about it beforehand. He was briefed at a meeting on 28 October and, presumably, he had the opportunity to say to the commissioner, "That's okay, I agree with that. I have no concern about that. Go ahead; I approve." He could have protested about the composition of the panel. He could have said to the commissioner, "I don't think there will be public acceptance of that panel." He could have said, "A panel comprising Barry MacKinnon and Peter Browne will look like a political panel." The Premier has to take some responsibility.

Why is this important? It is important because we need to respect the institution of Parliament; and we need to ensure that people are truthful in what they say in this place, otherwise the role of Parliament in holding the executive accountable is compromised. It is also important because we know the nature of this government. It is a government that, to be kind, has a very long tail; it does not bat very deep at all. The Premier is virtually emperor. The Premier, as emperor, does not appear to let the Minister for Transport do very much. The Premier certainly does not let him do very much with regard to any port. The Premier, as emperor, does not let the Minister for Education answer a question without a quick little note being passed between them before she rises to her feet. The Minister for Local Government is not even allowed to neuter cats; the Premier has to take over that issue for him. The minister is not even trusted with legislation for the management of cats without the Premier intervening. This is a very centralised government, with the Premier occupying a very important position, particularly because of the weakness of his cabinet.

Secondly, we have had not just any old appointment in the public sector; this is an appointment to the number one department in the public sector. This position is the director general of that department—the most senior appointment in the public sector. This position has not gone to an impartial, independent public servant; it has gone to someone with a political record.

The third reason I think it is particularly important is that this represents a breach of the government's contract with the people of Western Australia. This government specifically campaigned on the issue of honesty and integrity. I quote from *The Australian* of 6 September—election day —

Opposition Leader Colin Barnett was sticking to his message — insisting the Liberal Party provided the only opportunity for “honest government”.

“There is a sharp difference in standards and ethics between the Liberal team and the Labor Party,” Mr Barnett said.

The Premier did not tell the people that he was going to make a political appointment to the director generalship of the Department of the Premier and Cabinet. Again, on Saturday, 9 August, at the beginning of the election campaign, he is reported as saying that he would emphasise honest government and integrity throughout the campaign. That is the Premier’s contract with the people of Western Australia. He has breached his contract with the people of Western Australia. He has breached his obligations to this house. He has compromised parliamentary privilege. He owes this house an apology. He owes the people of Western Australia an apology. Whether or not he apologises, this house should censure him for his reckless and incompetent, and perhaps even deliberate, misleading of this house on the important question of when he knew about the strange political composition of the selection panel that resulted in a very political appointment to the most senior position in the state’s public service.

MS A.J.G. MacTIERNAN (Armadale) [10.42 am]: I think it is important to distinguish between an accidental misleading of Parliament, in which a member may incorrectly state something based on some information that he or she has been provided with, and a categorical assertion about material within the member’s own knowledge, particularly in circumstances such as these. This assertion was made in a response to a question asked during question time. Question time is the critical instrument that the opposition uses to call the government to account—to ask the government to explain its decisions and actions. For a misleading answer to have been given is of course —

Mr C.J. Barnett: Can you just explain to me, because I’m not sure from the Leader of the Opposition, what exactly you’re accusing me of doing? I’m not sure what you’re saying.

Ms A.J.G. MacTIERNAN: We are saying that the answer the Premier gave us in Parliament to the question of whether he knew beforehand the composition of the panel—that is, the panel that selected the Director General of the Department of the Premier and Cabinet —

Mr C.J. Barnett: Yes, I did and I answered that last week.

Ms A.J.G. MacTIERNAN: No; the Premier said that he did not know the composition. He said that quite clearly.

Mr C.J. Barnett: I made it very clear that Ruth Shean came to me and told me who was on the panel.

Ms A.J.G. MacTIERNAN: The Premier did not. In his comments in a subsequent discussion, the Premier acknowledged that he knew the composition of the panel when he signed off on the selection process and when he signed off on the recommendation that was made to him.

Mr C.J. Barnett: The Commissioner for Public Sector Standards informed me of the panel, as she is required to do.

Ms A.J.G. MacTIERNAN: The words are here in black and white. The Premier said quite clearly that before that time—that is, before he was presented with the recommendation—he was not aware of the selection panel.

Mr C.J. Barnett: That’s correct.

Ms A.J.G. MacTIERNAN: The Premier’s statement to Parliament effectively was that he was aware of the composition of the selection panel only once it had finished its job.

Mr C.J. Barnett: No.

Ms A.J.G. MacTIERNAN: Quite clearly from this response, he knew the composition of that panel before it started its job.

Mr C.J. Barnett: The Commissioner for Public Sector Standards, Ruth Shean, came to me, as is normal practice, and informed me of the selection panel.

Ms A.J.G. MacTIERNAN: That is not what the Premier said in Parliament. He said that he had had a conversation with Ruth Shean —

Mr C.J. Barnett: That is what happened, as happens normally, and they then went away and had their interviews.

Ms A.J.G. MacTIERNAN: No; the Premier acknowledged that he had had a meeting with Ruth Shean and that at that meeting he had discussed the sorts of qualities and skills that he would like in the chief executive officer. He did not say that at that meeting he also discussed the composition of the panel. Indeed, the statement he made led us to believe, and would have led anyone to believe, that he did not know the composition of the selection

panel until the panel had done its job. That is a critical difference. The Premier allowed this process to go forward with this particular panel.

This has to be seen in the larger context. The Liberal Party came to government towards the end of September. It appears that the selection panel was chosen early in October. We presume that at some time in the first week of October a notification was given of the vacancy. The critical meeting at which the job description was decided did not take place until 28 October. Under the act, the commissioner must speak with the relevant minister and get the data for the job description. That took place on 28 October, yet only three weeks later a final appointment was made. Where was the advertising? Where was the culling by the selection panel? Where was the engagement of an independent recruitment company? How long did the interviews take? This has been an unbelievably short process. Yesterday the Commissioner for Public Sector Standards tabled an outline of the procedures for the appointments of the chief executive officers of Kimberley TAFE, the Perth Theatre Trust and the Rottnest Island Authority. None of those positions is anywhere near as senior as this position, yet it took months to go through the formal process of advertising for those positions and completing the appointments. The commissioner's document indicates that normally an external recruitment agency would be involved. None of those processes was followed in this case. In under three weeks, from the time in which the job description was settled, an appointment was made to this position. Within those three weeks the position was advertised, the hundreds of people who no doubt applied for this widely advertised job were culled, interviews were undertaken and a selection was made.

Point of Order

Mr P.B. WATSON: The member for Riverton is making comments from a seat that is not his own.

The DEPUTY SPEAKER: I ask the member for Riverton to move back to his seat if he wants to speak.

Debate Resumed

Ms A.J.G. MacTIERNAN: The credibility of this process has been compromised so much more by the material we received last night from the commissioner. First of all, the commissioner actually convened the selection panel before she knew what would be in the job description, which is an unusual thing in itself. She also had constructed a panel that presumably knew when the interviews would be held. She rang the office of the Premier and left a message with the chief of staff; she certainly spoke to someone in the office of the Premier. Suddenly, within a couple of days, two of the panel interviewees found that they had unexpected interstate obligations! Does that not defy belief? Now we are being told that Barry MacKinnon had to be brought in because the Premier had to have someone who had been an elected official and understood the relationship with elected officials. However, there was no elected official or party operative on the original panel that the commissioner had constructed before she spoke to the Premier's office. Why did the sorts of skills that the commissioner thought were relevant suddenly change a week later, after the outbreak of the Ebola virus on the panel?

Can members imagine what would happen if a Labor government appointed Peter Dowding and Carmen Lawrence to a selection panel for the appointment of the Director General of the Department of the Premier and Cabinet? Can members imagine the furore that would have followed? This is absolutely ludicrous, and the more information we get, the more difficult it is to believe that all these things could have been a completely fortuitous coincidence. This process has been concerted and compromised at every level. There needs to be a thorough investigation into this matter.

MR C.J. BARNETT (Cottesloe — Premier) [10.51 am]: To return to the comment made by the Leader of the Opposition, yes, Parliament plays a role in ensuring accountability. That is quite proper, and if the Leader of the Opposition thinks that this is somehow an inappropriate or compromised process, he should by all means raise the matter, as he did last Thursday in question time. The only disappointing news I have is that nothing has changed. My answers will be as they were last week. Here we go again; I am happy to repeat.

I would like to comment on a couple of matters before I turn to the appointment of Peter Conran. The Leader of the Opposition said that the government had somehow gone backwards and that we now have a political cabinet secretary in Deidre Willmott. Deidre Willmott is the cabinet secretary and she is an outstanding person.

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr C.J. BARNETT: I am delighted that Deidre Willmott is both chief of staff and cabinet secretary.

Ms M.M. Quirk: I don't know that she is.

Mr C.J. BARNETT: The member displays a lot with her interjections.

I also point out that the head of parliamentary services in the Department of the Premier and Cabinet also attends cabinet meetings and records cabinet decisions. Are members aware of that?

Mr E.S. Ripper: I don't attend your cabinet meetings.

Mr C.J. BARNETT: What is the Leader of the Opposition's point?

Deidre Willmott, as my chief of staff, attends cabinet meetings and holds the position of cabinet secretary. She attends the entire cabinet meeting and at times I ask her to comment on issues, particularly of a legal nature, which she does. Usually, Mr Nick Hagley—who has served governments of different persuasions—also attends formal cabinet meetings and records cabinet decisions. Does the opposition have a problem with that?

Ms A.J.G. MacTiernan: “Usually”?

Mr C.J. BARNETT: He has been away on leave for the past two weeks, so someone else has deputised for him. Does the opposition have a problem with that?

Ms A.J.G. MacTiernan: We need to get clarity from you, because you do not tell the truth.

Mr C.J. BARNETT: Where is the member's problem?

Ms A.J.G. MacTiernan: There's no problem. We want information.

The DEPUTY SPEAKER: Order, member for Armadale!

Several members interjected.

The DEPUTY SPEAKER: Members, let the Premier finish, please!

Mr C.J. BARNETT: Do members have any idea what happens at the federal level? Usually, the Prime Minister's chief of staff, the head of the Department of the Prime Minister and Cabinet and, often, the heads of major agencies will all attend cabinet meetings. What is the opposition's problem? That is what happened under the Howard government, and I presume that that is what happens under the Rudd government.

Mr E.S. Ripper: Get to the point.

Mr C.J. BARNETT: The Leader of the Opposition raised this matter; I am trying to tell him what actually happens. He came into this chamber and raised this as though it were some kind of major issue, and I am pointing out that my chief of staff—who is also cabinet secretary—attends cabinet meetings, and that the head of parliamentary services also attends cabinet meetings. What is the opposition's point?

Mr E.S. Ripper: Come back to the matter of telling the truth in Parliament.

Mr C.J. BARNETT: Okay; is that what the Leader of the Opposition thinks this is about? If he wants to test truthfulness, he can go down that path. If he wants to go down that path, he can go down that path.

Mr E.S. Ripper: We have gone down that path; we've moved a motion to censure you.

Mr C.J. BARNETT: I have all day.

The opposition seems to have a problem with the composition of the panel. Jenny Matthews is an experienced public servant. She does not work for one of the bigger agencies, but she has worked at both federal and state level. The opposition described her as a junior public servant. What an insult that was to Jenny Matthews.

Mr E.S. Ripper: I didn't describe her as a junior public servant. I described her as a junior DG.

Mr C.J. BARNETT: He used the word “junior”. What an absolutely condescending approach that is.

Ms A.J.G. MacTiernan: Junior director general! She is a group 2 CEO.

Mr C.J. BARNETT: Jenny Matthews is an experienced public servant at federal and state level, and she has played major roles in local government and regional development. She is an extraordinarily talented person, and the Leader of the Opposition put her down as some junior person. He should know a lot better than that. That is his attitude to the public service; it comes through again and again. He then —

Mr E.S. Ripper: Self-righteous and pompous. Get to the point.

Mr C.J. BARNETT: I do not go around insulting public servants. That is the difference.

Ms A.J.G. MacTiernan: It's a fact, it's not insulting.

Mr C.J. BARNETT: The member thinks it is a fact that Jenny Matthews is a junior, does she?

Ms A.J.G. MacTiernan: She is a junior CEO. She is a group 2 CEO of six months' standing, and we are talking about a group 4 position. Never before have I seen a situation in which a relatively—it is relatively—junior CEO chairs a panel to select someone who is two levels higher. I have never seen that. That is just unbelievable.

Mr C.J. BARNETT: Does the member have a problem with Jenny Matthews?

Ms A.J.G. MacTiernan: We are asking what you knew. You are trying to avoid the question: what did you know?

Mr C.J. BARNETT: I cannot get a word in.

The DEPUTY SPEAKER: Order, member for Armadale!

Mr M.P. Whitely: You invited the interjection.

Mr C.J. BARNETT: I have barely spoken. I have been on my feet for five minutes and I have barely spoken two paragraphs.

I think Jenny Matthews is a very competent person and very experienced. I think she is suitable. The choice of Jenny Matthews to chair the committee was not my choice at all. It was the choice of the Commissioner for Public Sector Standards. I had no input at all in the choice of chair of the committee.

Ms A.J.G. MacTiernan: Did you know the panel had changed?

Mr C.J. BARNETT: No; let us turn to the second member of the committee. The opposition criticised the appointment of Mr Peter Browne, who is a long-time public servant under successive governments. He was an outstanding Director General of the Education Department, and a leader in education who is respected, admired and regarded as a friend in schools from one end of the state to the other. If any opposition members have any doubt about that, they should go to any random school in their electorates and ask the teachers what they think of Peter Browne. They should do their own test. I would be very surprised if they did not say that he was a fantastic director general and a fantastic teacher and educator throughout a long career.

Ms A.J.G. MacTiernan: It sounds to me like you did select the panel! It sounds like you got your panel.

The DEPUTY SPEAKER: Order, member for Armadale!

Mr C.J. BARNETT: I did not suggest or appoint Peter Browne.

Several members interjected.

Mr C.J. BARNETT: I did not! Is the member for Albany accusing me of appointing Peter Browne to that committee?

Mr E.S. Ripper: We're accusing you of misleading the house. Get to the point.

Mr C.J. BARNETT: The Leader of the Opposition has no idea what he is on about; no idea at all.

I think Peter Browne is a fantastic person, a fantastic educator and an outstanding leader of the school system in this state.

Mr R.H. Cook: Get to the point.

Mr C.J. BARNETT: I am trying to. I have 23 minutes left. I wish I had hours.

Several members interjected.

Mr C.J. BARNETT: "Truth", coming from the Labor Party, is a term members opposite should not use. The third member was Mr Barry MacKinnon. He is a former politician, a former Leader of the Liberal Party and a former minister under Sir Charles Court.

Ms A.J.G. MacTiernan: If we had put Carmen Lawrence or Peter Dowding on a selection committee, would you have thought it was appropriate?

The SPEAKER: Order!

Mr C.J. BARNETT: Barry MacKinnon is clearly a Liberal—in fact he was a Liberal leader. Did I suggest Barry MacKinnon for the panel? No, I did not. It would not have occurred to me, to be honest. It was a decision of Ruth Shean as Commissioner for Public Sector Standards.

Ms A.J.G. MacTiernan: That was the interchange bench after Deidre had a set-to and had been given a red card.

The SPEAKER: Order! I have one red card for the member for Armadale. I call her to order for the first time.

Mr C.J. BARNETT: The Commissioner for Public Sector Standards wanted to know what sorts of qualities members of the selection panel should have. My view from the best of my memory —

Mr T.G. Stephens: They should all be Liberals!

Mr C.J. BARNETT: I am just relying on memory because there was no written communication, but what would I look for as someone to be head of the Department of the Premier and Cabinet? I would look for someone with experience in the public sector at a senior level, someone with experience of dealing with policy issues at a senior level and someone who understands parliamentary systems and the political cycle and system. Those would be the sorts of qualities I would look for. I would want people on the panel who understand the role of a Premier, the role of a politician, the operation of Parliament, the operation of policy, administration and

ministerial officers, and all those sorts of issues. Those are the sorts of qualities to be looked for in someone to head up the Department of the Premier and Cabinet. Those views were made known to Ruth Shean. At no stage did I suggest anything about the composition of that committee.

Mr M. McGowan: You just said you did.

Mr C.J. BARNETT: No, I did not. I suggested the sorts of qualities I would look for and the experience I would want on the selection panel.

Mr M. McGowan: On the selection panel?

Mr C.J. BARNETT: On the selection panel. I did not at any stage suggest the name of any individual.

Ms A.J.G. MacTiernan: This is new.

Mr C.J. BARNETT: I did not, because the Commissioner for Public Sector Standards will consult about the type of selection panel. The Commissioner for Public Sector Standards then selected a panel. Two applicants pulled out. I think that I perhaps knew she was thinking of John Langoulant. They pulled out for reasons related to their own activities, business and other commitments. It was nothing to do with me, not even within my knowledge. Ruth Shean then came back and told me the composition of the panel and asked whether it reflected the sort of composition I was looking for. I had no difficulty with it. The Commissioner for Public Sector Standards determined the composition of the selection panel for the position of Director General of the Department of the Premier and Cabinet. She informed me of the composition of that panel. Fine; I had no difficulty with it. That is it.

Am I pleased that Peter Conran is head of the Department of the Premier and Cabinet? Yes, I am; of course I am. He is fantastic. I will tell members a story to fill in some time, as it is the last day of the sitting.

Mr P.B. Watson interjected.

The SPEAKER: Order, member for Albany!

Mr C.J. BARNETT: He is very ordinary.

I will tell members how the Council of Australian Governments meeting started on Saturday. I do not think I am divulging any confidences. We sat down, as one does, around a square table with public servant advisers behind us. I was sitting opposite the Prime Minister. He looked across and saw Peter Conran behind me and effectively said, "Conran, what are you doing here?" The response from Peter Conran, as the meeting was about to start, was, "I am working for Western Australia." The Prime Minister looked at me and said, "Oh, you have Conran working for you?" I said yes but that I was not yet sure which side he was spying for. The Prime Minister's response was, "He spies for every side." What does that tell us? It tells us that Peter Conran and Kevin Rudd have a long history of working together. That was a bit of humour and light banter at the start of the COAG meeting. What that tells us, as was demonstrated through COAG, is that Peter Conran has political connections through all states and all the federal bureaucracy. Do members know who played a critical role—probably the critical role—in Western Australia and all the other states getting an extra \$750 million for emergency departments? It was Peter Conran. He went behind the scenes and negotiated that on Saturday morning. I made the call at the COAG meeting and the Prime Minister backed it up. That \$750 million has gone into emergency departments almost solely due to the efforts of Peter Conran. That was day one of his working for Western Australia, which is not a bad return on day one. It was done because of his familiarity, relationships and friendships in Canberra right across the political spectrum. He worked with Kevin Rudd when Kevin Rudd worked for the Queensland government. They had worked on committees and knew each other well. There was a good relationship and good humour. That was very important for Western Australia.

Ms A.J.G. MacTiernan: Can you clarify an issue?

Mr C.J. BARNETT: He is a Liberal, if that is what the member is accusing him of being. I do not know whether Peter Conran is a member of the party. I do not know and I have never asked him because I am not interested. However, here was this person, who members opposite think should not be head of the Department of the Premier and Cabinet, immediately dealing with a Labor Prime Minister and getting a direct result for Western Australia on his first day on the job. It was a fantastic outcome.

Ms A.J.G. MacTiernan: Did you have two meetings with Ruth Shean? You had a meeting with her when you discussed the composition of the selection panel, did you, and then a subsequent meeting?

Mr C.J. BARNETT: I will clarify that. I can remember relaying the types of skills wanted on the selection panel. Whether it was direct, face to face, I would have to check, but I certainly conveyed to Ms Shean the sorts of qualities I wanted, which included an understanding of politics, Parliament —

Ms A.J.G. MacTiernan: Did you —

Mr C.J. BARNETT: Let me answer. The member asked the question; she must let me answer it. Whether I conveyed that directly or through my chief of staff, I would need to check, but I certainly conveyed the sorts of qualities, which would include an understanding of politics, of government, of ministerial responsibilities and of the cabinet process. Those were the sorts of general comments I made. I certainly then met with Ruth Shean. She informed me of the composition of the panel. The advertisements had already been placed and the interviews would be conducted the following week. She said that there were several applicants. I do not know the names of the other applicants.

Ms A.J.G. MacTiernan: Did you —

Mr C.J. BARNETT: Hang on! Interviews were then conducted and the recommendation came back and went to cabinet. Peter Conran was appointed. Where is the problem?

Ms A.J.G. MacTiernan: It is because you have misled Parliament on two occasions.

Mr C.J. BARNETT: I will be quiet now. The member can tell me how I have misled Parliament.

Ms A.J.G. MacTiernan: It is because you said initially, and we have quoted it to you, that when you were asked did you know—we were talking about a time before the interviews took place—and were you aware of the composition of the panel —

Mr C.J. BARNETT: Yes, I was.

Ms A.J.G. MacTiernan: — you said, “No, I was not aware of the composition of the panel.”

Mr C.J. BARNETT: I made it very clear. I have never denied that Ruth Shean told me the composition of the panel. That is what she does.

Mr E.S. Ripper: You did deny it.

Mr C.J. BARNETT: I am sorry; members opposite have got it wrong.

Ms A.J.G. MacTiernan: You did.

Mr C.J. BARNETT: I do not know whether members opposite misunderstood, but I have never, ever denied it. Ruth Shean came to my office and told me the composition of the panel. That is a fact. Our office records will show that.

Mr E.S. Ripper: Premier, let me quote it again.

Mr C.J. BARNETT: Opposition members may have misunderstood. I cannot explain that. There was never any doubt in my mind about it. Why would I deny it? There is no reason. She came to me and told me the composition of the panel and I said that was fine.

Ms A.J.G. MacTiernan: Why did you not correct the *Hansard*?

Mr C.J. BARNETT: It is because I said nothing wrong.

Ms A.J.G. MacTiernan: It reads —

Did you know the composition of the panel beforehand?

You said —

No; I did not know the composition beforehand.

Mr C.J. BARNETT: Before what; before the selection?

Ms A.J.G. MacTiernan: Before the interviews took place.

Mr C.J. BARNETT: The question was implying that somehow I was involved in the selection of the panel.

Ms A.J.G. MacTiernan: No, we asked about knowledge.

Mr C.J. BARNETT: I did not have any input into the formation of the panel, other than to comment on general sorts of qualities. That was the implication of that question. That is what the debate was about. I have been very open about it. Dr Ruth Shean informed me of its composition, as she will to any minister on any CEO appointment.

Ms A.J.G. MacTiernan: Premier, today you have made a second revelation. You have made a revelation contrary to what you’ve said in this Parliament before, that you had no input into the composition of the panel. Today you have acknowledged that you had an interview or a discussion, direct or indirect, with her about the sort of person you wanted on the panel. That is quite different. You have said time and again that you had no input on the composition.

Mr C.J. BARNETT: This is ridiculous. The member has had her go. I will read from the *Hansard* of a whole week ago. The opposition is going through the same debate it went through last week. Last week I said —

That is the panel. I did not choose the panel but I am aware of its composition. It was set up by Dr Ruth Shean as the Commissioner for Public Sector Standards.

I was totally aware of it.

Mr E.S. Ripper: Premier —

Mr C.J. BARNETT: This is absurd. I am going to keep going.

Mr E.S. Ripper: I put the *Hansard* that we're referring to in front of you. It is there in front of you. Pick it up, read it, and tell us why it's not misleading the house. You've got it in front of you.

Mr C.J. BARNETT: The Leader of the Opposition is getting absolutely ridiculous. This is absurd.

Mr E.S. Ripper: It's right there in front of you. Pick it up and read it.

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

Mr C.J. BARNETT: I cannot be responsible for how the opposition interprets my words.

Mr E.S. Ripper: There it is. Pick it up, read it.

Mr C.J. BARNETT: I cannot be responsible for how the opposition interprets my comments during a debate.

Mr E.S. Ripper: Did you know the composition of the panel beforehand? No. How do we interpret that?

Mr C.J. BARNETT: Lest there be any doubt, I make it clear for the Leader of the Opposition that my comments were sought on the type of characteristics I would want amongst the selection panel, which I conveyed to Dr Ruth Shean. Dr Ruth Shean then came to see me, as is quite proper, as the Commissioner for Public Sector Standards, and informed me of the composition of the panel. I thought I made it abundantly clear that she informed me of the composition of that panel prior to interviews being conducted. I do not know if the Leader of the Opposition is trying to imply this, but at no stage did I suggest that any person be a member of that panel. I had no role in the two people who withdrew from the panel. I did not even know that they were going to be involved. I think I knew John Langoulant's name had been bandied around but I knew nothing about Cheryl Gwilliam. That is the reality. The reason the opposition thinks this is such a huge issue escapes me.

The Leader of the Opposition made a comment about batting deep. This is an aside. It does not go to the main thrust of the Leader of the Opposition's so-called argument. What has happened this week? At the beginning of the week, the government, at day 73 of its term in office, announced fixed four-year terms. This week we also finally put in place what needs to be done in Esperance and committed to fixing the problem. We have honoured our commitment to reintroduce the Surrogacy Bill into Parliament, not to the happiness of every member, but it has now passed the Parliament. The Attorney General has put the truth-in-sentencing legislation through this house. The education minister not only settled the teachers' dispute but 93 per cent of Western Australia's 35 000-odd teachers voted in favour of it. That has just been four days' work, and the opposition reckons that we do not bat deep. All the members on this side of the house who took part in the debate on the Surrogacy Bill from different perspectives displayed their knowledge as new members of Parliament and spoke with distinction, credibility, emotion and passion, and the Leader of the Opposition says that we do not bat deep. The opposition is re-running its matter of public interest. Who does not bat deep? It could not even come up with something new today. All it is doing is re-running its MPI from last Thursday. It is a very poor performance. I think the public will decide who bats deep.

I know that the Leader of the Opposition has a problem with Peter Conran. That is fair enough. He does not like the guy. Peter Conran is an achiever, he is a long-time public servant, he has worked with the cabinet secretary in Canberra under John Howard and he is going to play a major role in this state. He is going to improve the public service and get decisions made. I know that the Leader of the Opposition hates the fact that for eight years he failed to make reforms to the public sector. The first decision we made as a government was to separate public sector management from Premier and Cabinet and establish Malcolm Wauchope as public sector commissioner, someone the Leader of the Opposition tried to imply in a nasty way last week had been pushed to one side. I went to the morning tea on Friday when Malcolm Wauchope formally changed roles. He is an outstanding public servant. He just happens to be a lifelong friend of mine, something that has never come into the public area, something neither he nor I have ever mentioned, whether it be Liberal or Labor governments in power. I mentioned it at the morning tea because he has been a lifelong friend. We have known each other since we played football together and went to school together from the beginning of our high school years. We lived about half a kilometre apart.

Point of Order

Mr M. McGOWAN: The motion moved by the Leader of the Opposition is quite clear. It refers to whether or not the Premier misled the house about the appointment of Mr Peter Conran. I would ask you, Mr Speaker, on the question of relevance, to get the Premier back to the point of whether or not he misled the house. The debate is not about who he played cricket with, who was best man at his wedding or who he grew up with and went to

primary school with, although they are very interesting subjects. Although I am sure people are quite interested in who the Premier attended primary school with, the debate is about whether or not the Premier misled the house. He needs to get back to that issue because that is the relevant issue in this debate.

The SPEAKER: I am sure the Premier will return to the substance of the motion.

Debate Resumed

Mr C.J. BARNETT: I did not mislead this house at all. I made it very clear that I knew the composition of the committee. If that is all the Leader of the Opposition has got to wave around —

Mr E.S. Ripper: It's called the *Hansard*. That's what it's called.

Mr C.J. BARNETT: This has been an absolutely inept re-run of last Thursday's MPI. Members should look at what we have done in seven days—Esperance, teachers, truth in sentencing and surrogacy. The Leader of the Opposition could not even come up with something new to talk about. I could think of about 20 issues he could have debated today. What did he come up with? A re-run of what he did previously!

I have just received a little note. I will read it out.

Mr R.H. Cook interjected.

Mr C.J. BARNETT: The Deputy Leader of the Opposition should not laugh at public servants. The note states, "Ruth Shean has called Deidre Willmott"—my chief of staff—"to stress that you did not discuss with her either the desired policies of the people on the panel and this was not discussed by ... or the composition of the panel."

Mr E.S. Ripper: You said earlier that you had discussed those.

Mr C.J. BARNETT: I conveyed some views. I did not discuss it with Ruth Shean.

Ms A.J.G. MacTiernan: Mr Speaker, can I ask that that document be tabled?

Mr C.J. BARNETT: Can I read it first? It states, "The meeting on 28 October, held at the request of Ruth Shean, was to clarify what the priorities of the Department of the Premier and Cabinet would be and the state government's priorities for COAG."

Ms A.J.G. MacTiernan: You said that there was an earlier meeting.

Mr C.J. BARNETT: I said that I conveyed some views about the type of person —

Ms A.J.G. MacTiernan interjected.

Mr C.J. BARNETT: This so-called MPI somehow implies that I did not know the composition of the committee. I did. Ruth Shean told me the composition of the committee. I knew it. The opposition should get back to some of the real issues that matter to Western Australia. There are lots of issues out there. Here we are at day 73 of our term of government trying to overcome seven and a half years of inaction by the former government. There is one issue after another.

We could not even find the member for Cockburn in the election campaign. We looked for him. Do members know where he was? Was he in Sydney? I heard he was seen in a nightclub in Sydney. He was spotted. The Attorney General put out an all-points alert. It went nationwide, and he was found in Sydney. Was he in Sydney? The member should tell us whether he was in Sydney during the election campaign.

Mr F.M. Logan: \$9.6 billion.

Mr C.J. BARNETT: Was the member for Cockburn in Sydney?

Mr F.M. Logan: As the Minister for Energy, what did you do?

Mr C.J. BARNETT: I heard that the member for Cockburn was seen in a nightclub in Sydney.

Mr F.M. Logan: You did nothing.

Mr C.J. BARNETT: The member for Cockburn was spotted. The Attorney General put out an all-points alert which went nationwide and they found him in Sydney!

Mr F.M. Logan: It took \$9.6 billion in government investment to fix up your problems.

Mr C.J. BARNETT: Was the member for Cockburn in Sydney? Someone tell us. Was he there during the election campaign?

Mr F.M. Logan: We had to put in \$9.6 billion in investment.

Mr C.J. BARNETT: Was the member for Cockburn in Sydney? Just answer it yes or no. Come on, yes or no, was the member in Sydney?

Mr F.M. Logan: We had to put in \$9.6 billion investment during the election.

Mr C.J. BARNETT: Was the member for Cockburn in Sydney during the campaign? Was he there in Sydney? That is what I heard.

Point of Order

Mr E.S. RIPPER: Mr Speaker, the Premier has now been going for 26 minutes. He has not addressed the accusation of the opposition that he has misled the Parliament. He is continuing to debate irrelevant side issues, and I ask you to draw him back to the motion.

Debate Resumed

Mr C.J. BARNETT: Mr Speaker, I did not mislead this Parliament. I knew of the composition of the selection panel. If the Leader of the Opposition misunderstood, I cannot help that. I knew the composition of the selection panel. I had no input as to the members of that selection panel. I took no part in the conduct of the selection panel. It was conducted by the Commissioner for Public Sector Standards, who made a recommendation that went to cabinet. Why does the opposition have a problem with the process? Do members opposite know how Kevin Rudd, the Prime Minister, appointed Terry Moran to run the Department of the Prime Minister and Cabinet? He just said, "I'll have him. There's your job." There was no process at all; none at all. We had a proper process.

Point of Order

Ms A.J.G. MacTIERNAN: Can I ask that the document be tabled under standing order 157?

Mr C.J. Barnett: You can have it.

The SPEAKER: It can be tabled if the Premier deems that he wants it tabled. However, my information suggests that a note delivered to a member speaking during a debate need not be tabled.

Mr C.J. Barnett: I have no problem. It is not an official document. It is a note from a staff member—if the opposition thinks that is important.

[See paper 492.]

Debate Resumed

MR T.R. BUSWELL (Vasse — Treasurer) [11.21 am]: I was not in the house last Thursday. I was on my way to the Council of Australian Governments' meeting, which the Premier referred to earlier. I should say in support of the comment that Mr Conran performed admirably on behalf of Western Australia. However, I have subsequently read the *Hansard* that the now Leader of the Opposition is waving around frantically.

Several members interjected.

The SPEAKER: Order, members for Girrawheen and Albany!

Mr T.R. BUSWELL: I am talking about the *Hansard* that is the basis of this ridiculous motion. It states —

Mr E.S. Ripper: Did you know the composition of the panel beforehand?

Mr C.J. BARNETT: No; I did not know the composition beforehand. I had no role in who served on that panel.

I have actually read that four or five times. I have read this motion, and this motion is not reflective of the statement made by the Premier. Perhaps the Leader of the Opposition can stand and explain to us what "beforehand" means. What is the concept of "beforehand"? To which specific event did "beforehand" refer?

Several members interjected.

Mr T.R. BUSWELL: If the Leader of the Opposition wants serious information, he should ask proper questions. "Beforehand"—this is lunacy!

Mr E.S. Ripper interjected.

Mr T.R. BUSWELL: "Beforehand"—lunacy. Whose hands? It quite clearly states —

Mr E.S. Ripper interjected.

Mr T.R. BUSWELL: Let me read it to the Leader of the Opposition.

Mr E.S. Ripper interjected.

The SPEAKER: Order, Leader of the Opposition!

Mr T.R. BUSWELL: I will read it to the Leader of the Opposition. It quite clearly states —

I had no role in who served on that panel.

Mr C.J. Barnett: That's correct.

Mr T.R. BUSWELL: My view is that that is consistent information and is completely at odds with the motion that the opposition has put on the table today. The Premier has clearly outlined the proper process that he was engaged in with Ruth Shean. Under section 45(4) of the Public Sector Management Act, the Commissioner for Public Sector Standards is given an instruction that he or she should meet with the relevant ministers and seek information about the sort of person to be provided to the office. The Premier has outlined that. What is wrong with that? What the opposition is putting is a ludicrous proposition.

However, I want to spend some time discussing this issue of “beforehand”. When I look at “beforehand” I look at events that happened before we came into government in relation to the Commissioner for Public Sector Standards. Members opposite may recall the former Commissioner for Public Sector Standards, Maxine Murray. Perhaps they would like me to table the document I have in my hand. It is Maxine Murray’s “Ten-Year Review: Three: CEO recruitment and selection in the WA public sector”. It was damning of the opposition’s performance in government relating to CEO appointments. Do members opposite know what it said?

Several members interjected.

The SPEAKER: Order, member!

Mr T.R. BUSWELL: Do members opposite know what it said?

The SPEAKER: Order, member!

Mr T.R. BUSWELL: It said that we go through a process for appointing a CEO. Do members opposite know what they did?

The SPEAKER: Order, Treasurer!

MR M. McGOWAN (Rockingham) [11.24 am]: Mr Speaker, it has become apparent during this debate that the Premier—and the Treasurer but particularly the Premier—has deliberately misunderstood and deliberately not answered the questions that have been asked of him on this matter. I will make it clear for members so that members understand exactly what has gone on here. The Premier answered a question in the upper house on Wednesday, 3 December—yesterday—in which he said —

On 28 October 2008, the commissioner met with the Premier and his chief of staff under section 45(4) of the Public Sector Management Act and notified him of the panel.

Mr C.J. Barnett: Yes; correct.

Mr M. McGOWAN: The Premier himself said on 27 November in this house —

... I did not know the composition of the panel beforehand.

That is what the Premier said. He misled this chamber in the answer he gave in the upper house. His statements are directly contradictory. He cannot come into this place, obfuscate and come up with all the red herrings in the world and avoid that simple point that he misled this house.

Mr C.J. Barnett: I did not. Do you know what? One interjection. I did not know the composition of the panel before Dr Ruth Shean told me the composition.

Several members interjected.

Mr M. McGOWAN: The Premier has not explained that. The second point, Mr Speaker —

Several members interjected.

Mr M. McGOWAN: I have five minutes.

Several members interjected.

The SPEAKER: Order, Premier!

Mr M. McGOWAN: There is a second occasion on which this Premier misled this house, and that is in this debate. It is probably very concerning for members of the government when the Premier gets on his feet, because every time he does, four or five different versions of events come out of his mouth. The second occasion on which he misled this house was during the debate on 27 November, a week ago, when he said —

Mr C.J. Barnett: I was aware of the composition of the panel. —

That is another contradiction —

I did not have any input into the composition of the panel.

Mr C.J. Barnett: That’s correct.

Mr M. McGOWAN: However, today he stood in this house and said that he had an input into the qualities and characteristics of the selection panel.

Mr T.R. Buswell: That's the law. Read the act.

Mr M. McGOWAN: However, again, if the Premier will actually listen, in the upper house he was asked —
Was the Premier involved in any discussions about the make-up of the selection panel?

He answered —

No. The Premier's chief of staff was kept informed of the composition of the selection panel but provided no comment or input.

Mr C.J. Barnett: Correct.

Mr M. McGOWAN: A moment ago he said he did have input.

Mr C.C. Porter: Get a dictionary.

Mr M. McGOWAN: A moment ago he said he did have input into the characteristics and qualities of the people on the selection panel, yet he answered a question in the upper house saying he did not. Those are two misleadings of the house. Why would the Premier mislead the house in relation to these issues? It is because it is a very sensitive matter for the governance of Western Australia when the Premier appoints someone who has close connections to the Liberal Party to run the public sector of this state. Do members know the way the Premier went about doing it? Just so that it is completely clear, the Premier appointed Mr Peter Browne, former vice-president of the Liberal Party.

Point of Order

Mr C.J. BARNETT: The member for Rockingham has clearly misled Parliament. I did not appoint Mr Peter Browne.

Ms A.J.G. MacTiernan: You did.

Mr C.J. BARNETT: I did not.

Mr M. McGOWAN: Mr Speaker, it is obviously a debating point against standing orders.

Mr C.J. Barnett: I did not appoint him.

Debate Resumed

Mr M. McGOWAN: Mr Peter Browne, a former vice-president of the Liberal Party—sure, a public servant and all that and Noel Crichton-Browne's brother—and I might add a registered lobbyist for companies in Western Australia is suddenly the puppet master and is appointing the director general of the Department of the Premier and Cabinet. What does that say about lobbyists in this state?

Several members interjected.

The SPEAKER: Order, Treasurer!

Mr M. McGOWAN: It says that a lobbyist can appoint the director general of the Department of the Premier and Cabinet.

Several members interjected.

Mr M. McGOWAN: Who is the other person? He is a former leader of the Liberal Party, also a lobbyist; in fact he invented lobbying in this state.

Mr C.J. Barnett: Think of a new topic!

Mr M. McGOWAN: He is a nice fellow. I like Barry MacKinnon, but he is a former Liberal Party leader and lobbyist. Two lobbyists appointed the director general of the Department of the Premier and Cabinet in this state. What does that mean for their clients when they, the puppet masters, are out in the community appointing the people who run the public sector of this state? What that means for their clients is a very important question that must be answered.

Mr C.J. Barnett: Understand the distinction.

Mr M. McGOWAN: The Premier therefore misled this house on two separate occasions. Who knows? If this debate goes on throughout the day there could be numerous other occasions because every time the Premier stands he seems to misunderstand the question and comes up with all sorts of different versions of events. There has been a Liberal Party takeover of the public sector in this state. I want to raise one last point. I like Deidre Willmott. I appointed her to the Liquor Commission of Western Australia, by the way. However, the Commission on Government recommended that the cabinet secretary be an independent public servant. The Commission on Government recommended that, and we implemented that when in government. The Premier has directly and deliberately appointed a Liberal Party operative as cabinet secretary in this state. That is a direct

breach of the recommendations of the Commission on Government. Although Deidre Willmott is a likeable person—admittedly, hard done by the Premier personally; perhaps there is some guilt involved in this decision—it is, nonetheless, a political appointment. This is the takeover of the public service of Western Australia, and the takeover of the proper running of cabinet, by the Liberal Party machine in this state. The Premier should be ashamed.

Question put and a division taken with the following result —

Ayes (27)

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

Noes (29)

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

Pair

Mr M.P. Whitely

Dr K.D. Hames

Question thus negatived.

CRIMINAL CODE AMENDMENT BILL 2008

Introduction and First Reading

Bill introduced, on motion by **Mr C.C. Porter (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR C.C. PORTER (Bateman — Attorney General) [11.34 am]: I move —

That the bill be now read a second time.

As members will be aware, this state has witnessed numerous serious attacks on the men and women of the WA Police in recent times. In many instances such attacks, particularly those on Constables Shane Markham and Christine Johnston in March 2006, resulted in severe injury. The assault on Constable Matthew Butcher resulted in his partial paralysis. Such attacks have exacted an emotional as well as a physical toll on the police men and women, and their families, who provide such a vital service to our community.

The promise to properly protect our police officers was a major platform this government took to the September 2008 state election. However, our commitment to protect WA police officers did not begin with the calling of that election. Rather, today’s legislation has its genesis in a private member’s bill introduced by the member for Hillarys. This was the Acts Amendment (Assaults on Police Officers) Bill 2008, introduced in February this year.

At that time, the now government—the then opposition—argued that legislative change was needed to deal with the prevalence of assaults on police. Change is required because our society has changed. Fifteen to 20 years ago, police officers were not only respected but their safety was near sacrosanct. Society has at some point moved into a state of sad indifference towards the authority of anyone in a police uniform.

Before I proceed, it may be instructive to consider some of the legislative history that precedes this bill. Two offences defined in the Criminal Code that are of relevance to this discussion are grievous bodily harm, as defined in section 297, and serious assault, as defined in section 318. Prior to the introduction of the former government’s amending act—the Criminal Law and Evidence Amendment Act 2008—an increased penalty for grievous bodily harm offences was not mandated by section 297 where the victim was a public officer. At that time, depending on the severity of the injuries sustained, assaults perpetrated upon public officers could be dealt

with as either a “normal” section 297 offence, or via section 318, which mandated penalties of up to 10 years for assaults upon certain categories of victim: public officers performing a function of their office or employment or on account of their performance of their role; persons performing a function of a public nature or on account of their performance of their role; persons acting in aid of a person who falls within either of the first two categories; and drivers or persons operating trains, ferries, buses or taxis.

The former Labor government’s amending legislation was drafted to set out further categories of people to whom an increased penalty in section 297 would operate. It set out additional penalties for section 297 assaults, being a maximum imprisonment for a term of 14 years. Those penalties applied to grievous bodily harm perpetrated upon: public officers performing a function of their office or employment or on account of their performance of their role; drivers or persons operating trains, ferries, buses or taxis; ambulance officers, and members of the fire and emergency services, state emergency services or volunteer marine rescue services; and persons working in a hospital, prison officers, or court security service workers. The description of “persons performing a function of a public nature”—which was used in section 318—was not included in the amendments to section 297. Section 318 was amended to add ambulance officers, members of the fire and emergency services, state emergency services or volunteer marine rescue services, persons working in a hospital, prison officers, and court security service workers, to the list of people covered by the section. The maximum penalty for offences not in circumstances of aggravation was increased from three years to seven years. I shall speak further on the former government’s legislation shortly, save to say here that although it had its limitations, it was good legislation.

The private member’s bill I have already mentioned attempted to introduce changes to the Criminal Code as it existed prior to Labor’s 2008 amending act. It sought to apply under section 297 increased penalties for: assaults on public officers performing a function of their office or employment or on account of their performance of their role; persons performing a function of a public nature or on account of their performance of their role; and persons acting in aid of a person who falls into either of those two categories. Assaults of this nature were to be liable for a maximum sentence of 14 years and a mandatory minimum sentence of 12 months. No new definitions were to be inserted in section 318, and mandatory minimum sentences of three months for assaults occasioning bodily harm when the offending was dealt with as a summary offence, and nine months for assaults occasioning bodily harm in all other circumstances, were to be imposed.

That short history of this issue brings us to the present bill, the Criminal Code Amendment Bill 2008. This bill implements our commitment to police officers and the people of Western Australia. Legislation to protect our police was not only an election commitment, but also something we undertook to introduce within the thirty-eighth Parliament’s first sitting. The present bill differs in form from the private member’s bill I have referred to in that it limits mandatory sentencing to offences against police officers as a discrete category of victim. In this sense it was ultimately considered that extension of mandatory sentencing to the definition of “public officer” contained in section 1 of the Criminal Code could result in mandatory minimum sentences being imposed even for an assault on a member of Parliament, or indeed a great number of civil servants, which was undesirable. This legislation providing for mandatory sentencing has been carefully considered by the government. Mandatory sentencing is a tool of criminal law that should be used very cautiously. Only in situations in which there are problems of undeniably crucial public significance and in which other alternatives are or would be ineffective should mandatory sentences be contemplated. However, this government considers this legislation to be the only way to ensure that the sentencing in this area reflects the expectations of the Parliament and our community.

This bill will amend the Criminal Code to provide that when a person assaults a police officer who is performing his or her duties and causes the officer bodily harm or grievous bodily harm, that person must be sentenced to a minimum term of imprisonment; that is, imprisonment is mandatory when a police officer is assaulted and injured. To accomplish this, the bill amends sections 297 and 318 of the Criminal Code. Section 297 deals with the offence of grievous bodily harm and section 318 with serious assault. Currently, the maximum sentence for grievous bodily harm without any aggravating circumstances is 10 years’ imprisonment. If the offence is committed in aggravating circumstances—for example, when the offender is in a family or domestic relationship with the victim, a child is present at the time of the offence or the victim is 60 years of age or older—the maximum penalty is 14 years’ imprisonment.

Section 318 of the code currently provides penalties for offenders who assault any of the persons in the categories nominated in that section; generally those performing functions of a public nature, who are listed in section 318(1)(d) to (k). Included in this list are public officers, as well as taxidriviers, ambulance officers, firefighters and hospital employees. Such an offence is termed a “serious offence”. The base maximum term of imprisonment under section 318 is seven years. However, if the offence is committed while the offender is armed or in company—the aggravating circumstances for section 318’s purposes—the maximum penalty is imprisonment for 10 years. If the offender is convicted in the Magistrates Court, the maximum penalty is imprisonment for three years and a fine of \$36 000. Importantly, neither section 297 nor 318 stipulates a minimum penalty.

I have already mentioned the recent nature and prevalence of assaults on our police officers. They have been violently assaulted by offenders, and those assaults have had very detrimental effects on the officers, their families and on the police service as a whole. When this physical and emotional damage is endured by officers, on top of the already demanding and difficult nature of their role, it is incumbent upon parliamentarians, as the people's elected representatives, to take strong and decisive action to ensure that offenders are severely punished. This will also clearly indicate to others who may contemplate such crimes that the law's response will be firm and swift. Deterrence must be recognised as a prominent feature of our criminal system. Far too frequently offenders charged under the existing terms of section 318 have received minimal sentences for assaulting police officers and avoided imprisonment when general community sentiment would require that this occur. This bill will impose mandatory minimum sentences of imprisonment when offenders assault and injure police officers.

Section 297 will be amended to provide that when grievous bodily harm is caused by an adult offender to a police officer performing his or her duties, the offender must be sentenced by the court to imprisonment for a minimum of 12 months. Similarly, the bill amends section 318 of the Criminal Code to impose a mandatory sentence of imprisonment. An offender will be sentenced to imprisonment for a minimum of six months for an assault occasioning bodily harm to a police officer performing his or her duties. The term "bodily harm" is defined in section 1 of the code to mean any bodily injury that interferes with health or comfort. If there are aggravating circumstances involved in the assault, such as the offender being armed or in company, the offender must be sentenced to imprisonment for a minimum of nine months. If the offender is a juvenile, he or she must be sentenced to detention for a minimum of three months in any case in which the charge is pursuant to either section 297 or section 318 and involves a police officer. The bill also ensures that when a sentence of imprisonment is imposed under these new provisions, a conviction must be recorded; that is, these convictions cannot immediately be spent under the Sentencing Act 1995 and cannot be suspended. The conviction may be spent only after a period of 10 years has elapsed under the terms of the Spent Convictions Act 1988.

Police officers serve and protect our community. Consequently, the state government is committed to protecting those who protect us. This bill sends a clear message to the community of Western Australia, to the police who protect them, to the courts and to offenders: the state now has a government that treats the safety of its police officers as a matter of the utmost importance and seriousness. Simply put, if a police officer is assaulted and sustains bodily harm, the perpetrator of that offence will go to prison.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.

IRON ORE PROCESSING (MINERALOGY PTY. LTD.) AGREEMENT AMENDMENT BILL 2008

First Reading

Bill read a first time, on motion by **Mr C.J. Barnett (Minister for State Development)**.

Explanatory memorandum presented by the minister.

Second Reading

MR C.J. BARNETT (Cottesloe — Minister for State Development) [11.47 am]: I move —

That the bill be now read a second time.

The purpose of this bill is to ratify a variation agreement to vary the state agreement ratified by the Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002. The variation agreement was made on 14 November 2008 between the parties to the state agreement, namely: the state of the first part; Mineralogy Pty Ltd—described in the state agreement as the company—of the second part; and Austeel Pty Ltd, Balmoral Iron Pty Ltd, Anshan Resources Pty Ltd—formerly Brunei Steel Pty Ltd—Korean Steel Pty Ltd, Sino Iron Pty Ltd—formerly Bellswater Pty Ltd—and International Minerals Pty Ltd—together described in the state agreement as co-proponents—of the third part.

The main purpose of the variation agreement is to vary the state agreement to allow for iron ore concentrates to be produced as part of a project—including as a separate project—under the state agreement for sale within Australia or for export to overseas purchasers. This is not currently allowed. Currently the projects contemplated by the state agreement require all iron ore concentrates produced as part of them—apart from a minor tonnage for use as heavy media in the coal washing industry—to be processed into pellets, direct reduced iron-hot briquetted iron, or steel. Other variations, which I will refer to later in greater detail, include amending area A, being the area earmarked for development under the state agreement in the short to medium term, and providing for the relinquishment by Mineralogy of land to the state to facilitate the future development of multi-user port facilities at Cape Preston outside area A.

The state has committed to sponsoring this bill and to endeavouring to secure its passage as an act by 31 December 2008 or such later date as may be agreed with Mineralogy and its co-proponents. To put the

variation agreement in context, I will provide some background on the state agreement as well as the Sino Iron project, the first project that has now been approved under the state agreement.

State agreement: Mineralogy holds mining tenure over the Fortescue magnetite deposit located at Cape Preston, which is situated approximately 80 kilometres south west of Karratha. The deposit at Fortescue is a banded iron formation, which contains iron ore in the form of magnetite, with extensive indicated and inferred resources in excess of four billion tonnes, grading from 15 per cent to 32 per cent iron. Magnetite ore can be concentrated through grinding and magnetic separation to produce a high grade concentrate. Area A under the state agreement was earmarked for development in the short to medium term while area B1 and area B2 were seen by Mineralogy as having long-term exploration and development potential.

The state agreement was entered into by the state to assist in developing in Western Australia value-added projects—pellets, direct reduced iron or hot briquetted iron, and steel—based on that magnetite deposit. The projects contemplated by the state agreement are pellets, project 1; direct reduced iron or hot briquetted iron, project 2; steel, project 3; or a combination of projects of the types of project 1, project 2 and/or project 3. The state agreement obliged Mineralogy, either alone or with a co-proponent, to develop one processing project and provides for projects to be undertaken by Mineralogy alone or by Mineralogy together with one or more of its co-proponents. Originally, the co-proponents were all subsidiaries of Mineralogy. Now Sino Iron Pty Ltd and Korean Steel Pty Ltd are subsidiaries of CITIC Pacific Ltd, a Hong Kong listed company, while International Minerals Pty Ltd is a subsidiary of Australasian Resources Ltd, an Australian listed company.

Sino Iron project: In May this year, the undertaking by Mineralogy and Sino Iron as project proponents of the Sino Iron project was approved under the state agreement. The Sino Iron project is a project for the production of six million tonnes per annum of pellets of iron ore mined from Mineralogy's mining leases 08/24 and 08/25 within area A and the export of those pellets through port facilities to be constructed at Cape Preston. First production of pellets is expected in 2010. The Sino Iron project is currently the largest planned magnetite project in Australia. Mineralogy and Sino Iron have advised that it will provide employment for approximately 2 500 people during the construction phase and approximately 500 permanent jobs. In addition to the six million tonnes per annum of iron ore concentrates to be produced for processing into pellets, Sino Iron also wishes to produce, as part of the Sino Iron project, up to an additional 36 million tonnes per annum of iron ore concentrates for export sale. The state agreement needs to be amended to allow such production.

The Sino Iron project discharges Mineralogy's obligation to develop a processing project under the state agreement. It may, but is not obliged to, bring forward proposals for further processing projects. Mineralogy claims that Western Australia is a high-cost location for pelletising and that the world market has changed since the state agreement was entered into in late 2001. The current demand in China, the market for Mineralogy's ore, is for iron ore concentrates rather than for pellets. The state recognises this shift in demand and is accordingly prepared to allow the production, as part of projects under the state agreement, including as a separate project, of iron ore concentrates for sale. It is hoped that by allowing the export of iron ore concentrates and the development of Mineralogy's magnetite deposit, further processing projects will be forthcoming under the state agreement.

Benefits of the variation agreement: The ratification of this bill by Parliament will lead to a number of benefits for the state, Mineralogy and its co-proponents, which I will now briefly outline.

Benefits for the state: Mineralogy will, as set out in clause 5 of the variation agreement, relinquish land to the state for the future development of separate multi-user port facilities at Cape Preston and outside area A, as to be defined in the state agreement. This will occur immediately upon the proposed variations to the state agreement becoming effective. Within three years after that, Mineralogy may be called upon to surrender the amended area D. In exchange, the state has agreed to amend the area of area A under the state agreement by including within it additional mining tenements which are held by or which may be granted to Mineralogy and provide for Mineralogy to be granted an easement over part of area D for pipelines and communication cables constructed within that area as part of the Sino Iron project. Sino Iron will be required to provide a significant community and social benefits package for the Sino Iron project in accordance with clause 5A of the state agreement. The value of this package is estimated to be \$400 million over the 25-year life of the project. Mineralogy also intends to establish a prescribed private fund as set out in clause 5A(9) of the state agreement. The objects of that fund are to include the advancement of medical research and the support of Indigenous communities in Western Australia. During the term of the state agreement, Mineralogy is to provide the fund with a total of \$100 million of benefits and grants to achieve those specific objects. The unimproved rating concession previously given by clause 25 of the state agreement will be removed. During the term of the state agreement, any railway constructed under the state agreement may be made subject to the provisions of the Railways (Access) Act 1998 and the Railways (Access) Code 2000. This will be expressly acknowledged by Mineralogy in clause 22(6) of the state agreement.

The state will receive increased royalties from the production of iron ore concentrates for sale. Such royalties will be payable at the rate prescribed from time to time under the Mining Act 1978. Currently, the state agreement provides royalty concessions for processing of iron ore concentrates into pellets, direct reduced iron or hot briquetted iron, and steel. The ability for project proponents to blend, in accordance with clause 11(7) of the state agreement, iron ore produced as part of a project with iron ore from outside the state agreement areas may result in the production and marketing of lesser grade iron ore that would not otherwise be produced. This would, of course, lead to the state receiving royalties on such production.

Benefits for the company and co-proponents: The principal benefits to Mineralogy and co-proponents from the proposed variation agreement are that the project proponents may produce as part of a project, including as a separate project, iron ore concentrates for sale within Australia or for export to overseas purchasers, including, subject to clause 11(7), as part of a blended product. The area of area A under the state agreement will be expanded to include other mining tenements held by or to be granted to Mineralogy. Area A will then comprise an area of approximately 802 square kilometres of tenure capable of being mined for iron ore. The term of Mineralogy's exploration licences comprising area B1 under the state agreement, which are seen as having long-term exploration and development potential, will be extended from five to 10 years.

The third party access provisions of clause 21(3) of the state agreement relating to third party access to port facilities constructed as part of a project under the state agreement will no longer apply to export wharves and associated facilities as to be defined in the state agreement. The state will, in accordance with clause 6 of the variation agreement and subject to certain conditions as set out in that clause, cause Mineralogy's applications for general purpose leases 08/63 and 08/74, less the part to be excluded from it as part of this variation, to be granted by the Minister for Mines and Petroleum.

In conclusion, this variation agreement was negotiated by the previous government and is supported by this government. We support the variation because it promotes the future development of the iron ore industry in the Pilbara and creates consequential employment opportunities in Western Australia. As members are aware, iron ore is one of Western Australia's strongest commodities, with world demand for the valuable mineral projected to continue for many years, despite the current market turbulence.

I commend the bill to the house.

MR M. McGOWAN (Rockingham) [11.56 am]: On behalf of the opposition, I am pleased to indicate that it will support the progress of this legislation through Parliament this year. It has written to the Premier to urge him to bring on this legislation to have it dealt with during this sitting period by both houses of Parliament. Members will know that it has been through the upper house already, where some discussion took place, and it has now come to this house. The opposition does not propose to delay the legislation to any significant degree, and members will note that it has agreed to commence the debate immediately after the second reading speech to ensure it progresses. The opposition agreed to this on the basis that the bill before the house is identical to the legislation and the agreement that was reached during the course of the previous government. It is therefore appropriate that now, in opposition, we stick to what we agreed to when we were in government and make sure that this legislation is passed.

My understanding is that an original agreement was signed in 2002 or 2003 permitting this mining project to go ahead. The agreement was negotiated by the then Minister for State Development, Hon Clive Brown, on the basis that a large degree of downstream processing would result from this project. At that time economic conditions were different, and the proponents—I have been advised that this is right—were genuine in their desire to process the magnetite ore into pellet form in its entirety, rather than ship it out in a concentrate form. Time has progressed and circumstances have changed. The proponents of this project are keen to progress it further. Indeed, a large number of people are working on the project in the Pilbara as we speak. I understand that hundreds of people have been employed to progress some aspects of this development, such as construction on-site and of the port and pellet plant.

Every time I look at the Leader of the House, I lose my train of thought!

Mr R.F. Johnson: I have that effect on people. They are astounded by my beauty.

Mr M. McGOWAN: It is astounding all right!

The proponents decided that the circumstances that existed in 2002, when they signed the heads of agreement with the then Minister for State Development, Hon Clive Brown, had changed. Those circumstances changed prior to the recent economic crisis that has enveloped the world. The renegotiation of this project commenced under the former state government. The Carpenter government was amenable to the renegotiation of the project on the basis that the renegotiated terms would not all be to the benefit of the proponents. The former government decided that it wanted some things out of this agreement if the entire mineral body was no longer to be converted to pellet form, as that change would of course lead to the creation of fewer jobs in Western Australia. We realised the reality of the economic situation confronting the company and agreed to some changes. The former

government reached an agreement in principle that the majority of the ore body could be converted to a concentrate form prior to export. However, a pellet plant will still be constructed to convert six million tonnes of ore into pellets as well. Whilst this is a compromise, Western Australia will still get a pellet plant, the project will still happen and concentrate will be exported. In addition, the state and local community will receive a social benefits package. There is some agreement that local government rates will be charged on the project, that there will be some further effort on native title compensation and that third party access will be provided at the port. The social benefits package relates to the employment of local Indigenous people. Our government was keen to ensure that the companies that exploit the wealth of Western Australia in the regions employ local Indigenous people so that they can be given a way forward through career and employment opportunities in the areas in which they live. We negotiated a package along those lines to ensure that all those things would come to fruition. As I said, a pellet plant will be constructed at Cape Preston. That is a better site, from an environmental perspective, than the site previously considered for the plant. Downstream processing of six million tonnes of ore will also occur each year.

There is some history to the complex mineral leases in this part of the world, which I will not go into. The proponents of this development own one of the leases created in the early 1990s in this area. I might be corrected on this point, but they are probably the first to commit to a significant development and export project in this area. That is a good thing. The project will significantly expand the iron ore industry in the north of the state and will lead to the construction of a new port at Cape Preston with third party access. That deals with some of the third party access issues that have been around for a very long time. The provision of third party access to the port for any future proponents who want to undertake iron ore projects in that part of the Pilbara is a good thing for the broader iron ore industry.

An issue close to my heart is the agreement by the proponents to make an addition to the conservation estate. As environment minister, I was keen to ensure that proponents understood their obligations to the environment by providing some sort of environmental offset to their projects. A significant tree-planting program will also be undertaken for the geosequestration of any gas emissions produced from these operations. From memory, 150 000 trees will be planted, but I am not sure whether that is the number of trees that will be planted every year. Again, that is a significant environmental offset for the project. I am pleased that the former government was able to negotiate that offset.

The pellet plant and the operations of the company will be powered by a combined cycle gas-fired power station, which will of course produce a small volume of emissions. The use of gas to power those operations is a natural consequence of the plant's location near Karratha. The combined cycle gas plant is a welcome part of the project.

Projects such as this take a significant time to develop. I know that the proponents of such projects experience frustration in getting their projects up and running, particularly when they are planning to invest significant amounts of money in Western Australia. It is important that we receive not only the royalties from these projects, which of course are largely redistributed away from Western Australia, but also some additional benefits for the state. As part of the renegotiation of this project, the former government took the view that the state should receive benefits other than just royalties and local employment opportunities. The benefits of the project need to come to the people who own the resources; that is, the people of Western Australia. The resources of this state should be used for the benefit of the people who live here, so the former government came up with a range of ways to ensure that the people of Western Australia would be the beneficiaries of this project. It will further enhance the relationship between Western Australia and China; a relationship that was developed and strengthened over the term of the previous government. We were very pleased to significantly expand the trading relationship between Western Australia and China over that eight years in office.

When we came to office, Japan was the major trading partner of this state, by a large factor. Whilst Japan is still an incredibly important trading partner of Western Australia, in terms of the overall value of products exported from Western Australia, the value of products exported from Western Australia to China is now higher than the value of products exported from Western Australia to Japan—not by a large amount, but it certainly is a higher value than was the case eight years ago. It is a tribute to the former government that we were able to continue that relationship and strengthen it in the way that we did and expand and create new projects that ensured that trading relationship between our state and China is able to be as prosperous as it is for Western Australia. Naturally, the strength of that relationship meant that during our time in office there was a historically low unemployment rate in Western Australia and a historically high level of personal income in Western Australia because of the previous government's success in ensuring that trading relationship continued and was strengthened.

Former Premiers Dr Geoff Gallop and Alan Carpenter, the member for Willagee, were very keen on fostering that relationship, as were their ministers, and did a lot of incredibly important work in that regard. They need to be acknowledged as the fathers of this particular agreement, which will bring further prosperity and jobs to the people of Western Australia and ensure that Indigenous people are the beneficiaries of this project.

Whenever I met with major companies, it was always my view that they should be aware of the state's view on their obligation to employ local Indigenous people. A few years ago, Woodside had very few Indigenous employees—as I recall, it had only one. I was briefed on the matter a couple of years later and that number had increased, as I recall, to 50. That is a 50-fold increase within a few years. That did not happen by accident. Woodside realised its responsibilities and it has done it well, as have Rio and BHP. Those companies now realise what they need to do to make it work. The process is complex and time consuming, but ultimately rewarding for the effort that they put in to achieve that. However, that did not happen by accident. A lot of pressure was placed on the companies to do that, including from the former government. Geoff Gallop, and Alan Carpenter in particular, were very forceful in their dealings with companies to make sure that the rate of Indigenous employment improved.

As I said, the fathers of this project were the Premiers of the former Labor government and the former ministers for state development, energy and resources, including the member for Cockburn, who is sitting behind me. I am pleased to indicate that the opposition will be supporting what is in effect our bill.

MR V. CATANIA (North West) [12.13 pm]: I rise to also support the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill. I thank the Premier for bringing it on.

A great aspect of this bill is that the facility will be a multi-user facility. We have seen the issues that Fortescue Metals Group Ltd has had to contend with in the past. Hopefully history will not be repeated because the bill will allow third party access, as the Premier outlined in his second reading speech. Although this project will involve less processing than was the case in the original agreement, it will involve more processing than other projects currently do. It means more jobs and work for contractors in not only the metro area, but also the Pilbara, and particularly Karratha.

One of the real benefits of this bill is that local government rates will be charged. This will be a tremendous benefit to the Shire of Roebourne, which will enable it to carry out some functions that metropolitan people take for granted. I look forward to seeing what that produces for the Shire of Roebourne.

This is a major agreement with China. As the member for Rockingham stated, this will enhance our relationship with China. Even though there is a current economic downturn, this project has a long-term future and it is only at the early stages of a 40-year mine life.

As the local member for the area, I support this bill. It is a great opportunity for the Pilbara to move even further forward.

DR M.D. NAHAN (Riverton) [12.15 pm]: I stand in support of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill. It achieves a number of long-term aims that successive governments have attempted to achieve, particularly in downstream processing of iron ore resources. This state is immensely gifted in the natural resource of iron ore. Successive governments have aimed to add value to that by various means. It has been a long and difficult road for a variety of reasons: firstly, because of the isolated nature of the Pilbara in the north; secondly, the high cost structures of the state; and, thirdly, the often high energy costs. Successive governments have attempted by various means to try to add value. Many of them have been unsuccessful, particularly as we have scrapped almost more pellet plants than we have built.

This project achieves value-adding in a very successful way. Even though the bill before us downgrades the degree of processing from pellets to concentration, it is a rational adjustment to the markets that we face. The bill also goes about value-adding in a unique way by adding a multi-user facility at the plant that hopefully others will have access to. That is a significant movement which, to my memory, has never been done before in such plants. That is a major achievement. The plant also brings Chinese investment to Western Australia. Within the context of the markets that we face for iron ore, it is imperative that the state strengthens its already growing ties with China and gets Chinese investment in the sector now before things turn worse, which is possible. This project achieves that in a very positive and large manner indeed. However, as the proponents quite rightly argue, we must be cognisant that the plant is being built in a very high-cost structure. We must be flexible in the demands that we make of firms, particularly in light of the economic downturn that we are facing, and continue to be flexible about the provisions we impose on developers.

In summary, I would like to again congratulate the proponents of the bill and the existence of the bill because, in an incremental but positive manner, it adds to our long-term aim of adding value to our natural resources.

MR T.G. STEPHENS (Pilbara) [12.18 pm]: I rise in this debate, not aiming to add a completely discordant note to what others have said, but basically to try to refresh my memory of the handling of this particular agreement over the years.

Mr C.J. Barnett: It has a long history. I have gone full circle on it.

Mr T.G. STEPHENS: That is exactly one of the points that I want to go to. I stand in this place as the member for Pilbara. This agreement covers an area immediately adjacent to my electorate, just outside the boundary.

Members will appreciate that this project is of great interest to the people within my electorate and within our region, and to the major companies operating in the Pilbara region.

My memory of the way this agreement came before this place in 2002 is along the lines that the previous minister had advanced it to a point at which it was not legally possible to slow down the agreement processes put before us as a team. One of the most compelling arguments put to us at that time was that although the agreement had some questions raised about it, we should press on and agree to advance the state agreement because it had by and large reached a point of no return; namely, that there would be only legal recriminations if we did not advance that state agreement into Parliament in 2002 and progress it in that way.

Mr C.J. Barnett: If I may interrupt, my memory of that time is that it was a complex agreement and I was trying to bring the bill down to get something started at the lower level of value adding. I was looking for reassurance that the project was ready to go and I was not fully convinced of that in the late 1990s. Here we are 10 years on; now it is happening.

Mr T.G. STEPHENS: As we have been told by the Minister for State Development and the previous speaker, something is in fact now happening. However, there has been a lot of torture and pain along the way and a lot of hints of litigation and —

Mr C.J. Barnett: Plenty of project launches though!

Mr T.G. STEPHENS: — plenty of project launches, and I think, in fairness, apprehension on the part of neighbouring corporations about the way this project has been advanced and the way it has reached this point.

Mr F.M. Logan: Amazing characters!

Mr T.G. STEPHENS: And the characters involved in the process.

As the member for Pilbara, I will give the minister a little insight into how the passage of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill came to my attention today. I had not paid close attention to the fact that this bill was going to be second read and go through consideration in detail in this place today. I have not watched the process as attentively as perhaps I should. When I heard it was coming on, I tried to get a copy of the bill and the second reading speech. Can the minister imagine what happened to me? I was told, “No, you can’t get a copy of the second reading speech because the minister hasn’t read it to the house.” Fortunately, a few minutes before it came on, I finally got a copy of the bill. However, that is the process of the house and no-one can critique that; it is simply the process of the house. Until a bill has been read for a second time in this house, I am not entitled to a copy of the second reading speech. Therefore, I could not get a copy of the speech.

Mr C.J. Barnett: It has already been handled through the upper house.

Mr T.G. STEPHENS: Yes, but the minister can imagine the argument; I am a member of this house. I can engage on this topic for a long time because I have heard it many times in the other place when I tried to run that argument up there! My attempts to try to focus on this bill are starting roughly now, and I have a few concerns and questions about the way the agreement will continue to operate.

I want to ask the Minister for State Development some questions about this bill. I hope that this is an amended agreement that has been subject to all the scrutiny and that the minister accepts responsibility for it. I hope he will not simply say, “It was done by my last lot of colleagues and because they did it and advanced it to this point, I’m happy to advance it because it’s their responsibility.” I want to be sure that the minister will tell the house that he has subjected this agreement to all the scrutiny, that he is now happy to advance this bill and that he does not see or fear any deficiencies within the agreement.

Mr C.J. Barnett: I wouldn’t claim the agreement is perfect but I think this variation is fine.

Mr T.G. STEPHENS: The variation is fine; okay. Does the minister accept responsibility for it?

Mr C.J. Barnett: Yes.

Mr T.G. STEPHENS: For the record —

Mr R.F. Johnson: If it goes wrong, we’ll blame you.

Mr T.G. STEPHENS: For the record, the minister’s fingers were crossed! I think he is expressing his hope that the agreement will work. I suppose that is the way that agreements work from time to time in Western Australia. Parties to agreements can sometimes be particularly litigious, and I hope that this will not be one of those agreements. I hope that the bill will not simply deliver Western Australia into endless litigation over the agreement that is now being amended by virtue of this bill and that something is delivered to Western Australia and the people of the Pilbara in ways that meet the ambitions articulated for this agreement by the minister and those who have spoken in the debate so far.

I will ask the minister a couple of questions about the detail of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill. Is anything contained within this agreement to tackle the issue of the residential requirements for this project? Will anything in this agreement try to secure a permanent residential workforce associated with this project for the Pilbara region? If there is something to do that in this amended agreement, where is it? As the minister will appreciate, the people of the Pilbara are begging for alterations to the agreement that keep proponents and developers under pressure to deliver some commitment towards a residential workforce. I do not know whether the minister wants to answer that now.

Mr C.J. Barnett: That is not addressed in the variation and I might have to get some advice or get back to the member. However, in the original agreement, my understanding is that the intention is for a largely Pilbara-based workforce, but I will clarify and get the member that information. The variation does not address that matter; it does not change that part of the agreement.

Mr T.G. STEPHENS: I thank the minister. At some stage the minister might get the people who are helping with the bill to point out for me precisely—because I am only looking at the bill for the first time—the provisions in the agreement that make this project available to local government to fully rate the project in ways that will produce an income stream.

Mr C.J. Barnett: The rate exemption has been deleted, so it can now be subject to rating.

Mr T.G. STEPHENS: Has that happened by virtue of this agreement?

Mr C.J. Barnett: I think it has actually in this; yes.

Mr T.G. STEPHENS: Can the minister point out to me at some point exactly where that provision is in the bill? I do not ask the minister to do that now, but when he has his people available can he show me where that happens in the bill?

Mr C.J. Barnett: I will get that information to the member. If not today, I will get it to the member in writing, if that is all right.

Mr T.G. STEPHENS: That is fine.

The third point I raise is based on a quick look at the bill and is in reference to the \$100 million fund. There is a commitment to a \$100 million fund for a variety of noble purposes. However, I am keen for someone to tell the house on the record the process that will govern the allocation of that \$100 million. Once the agreement is signed, does the \$100 million land into a kitty or is there a sequencing of the delivery of that \$100 million into that fund for its use for those noble purposes? I am happy to leave that question hanging; I would love to know and be assured that that \$100 million will flow in ideally upfront, but if it is not going to apply upfront, I hope it will not be left until the very end of the agreement: “By the way, here’s the \$100 million we promised you.” If that agreement lasts a long time and that money is not obliged to be paid until the very end of the agreement, it might have diminished value by that point.

Mr C.J. Barnett: It is progressive. Looking at this, it is under clause 5A(9) in the state agreement.

Mr T.G. STEPHENS: Can the minister please point me to the page of the bill?

Mr C.J. Barnett: It is clause 5A(9), to make additions to the original agreement. We are dealing with the variation, so the questions the member is asking relate primarily to the agreement itself, which the member probably does not have a copy of in front of him—I do not either. Therefore, I will get back to the member with some more information. There is an intention to create that fund and that is specified in the agreement. I cannot now answer how it will be managed, but I will find out.

Mr T.G. STEPHENS: Maybe if the minister does not mind, for a very brief period during consideration in detail, he might have the officers to be able to put that —

Mr C.J. Barnett: If I can do that, I am happy with that.

Mr T.G. STEPHENS: If that is possible, for a brief period in consideration in detail, the officers might be able to deliver the answers to these three questions to the house. I will not trouble the house at great length.

Mr C.J. Barnett: They may be able to provide that information by the end of the second reading debate. I will see whether they can.

Mr T.G. STEPHENS: It will be fine if they can provide that detail by the end of the second reading. I think that is all I have to say about the detail of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill, which creates an opportunity to amend the state agreement.

I want to place on record the Pilbara people’s ambition that argues for far more work to be done by industry and by governments to deliver a residential workforce to the region. The people want work done to make it more and more compelling for companies and for governments to find ways to make it attractive for a workforce to be connected to the region permanently, rather than be part of this blight that is fly in, fly out. Fly in, fly out is a

blight on not only the region, but also its participants. The opportunities provided by a fly in, fly out workforce might make sense during the construction phase, but fly in, fly out is destructive for the lifestyle of not only far too many people permanently living in those communities, but also the fly in, fly out workers and their families. Fly in, fly out is quite simply a destructive expression of the contemporary Western Australian economy. The people of the Pilbara region are victims of that phenomenon and they do not like it.

Part of the challenge of this particular operation has been the natural ambition of some members of the resource sector, and for the government and the community of Western Australia, to have some multi-user facilities operating in the Pilbara and around Western Australia—facilities that are not the exclusive domain of the proponents. This variation of the agreement will create previously denied opportunities for that to happen.

A hiatus between the corporate entity engaged in mining the ore and the entity at the other end that transfers the ore across its port facilities for loading onto ships presents a major difficulty in an operation as complex as the one contained in this state agreement. If a separate entity has a monopoly on port infrastructure, there is a real risk to the landlocked ore body.

The opportunity in this agreement to create additional multi-user facilities in the Pilbara region should allow the various parties to this agreement, and the investors from China, to be increasingly confident that there will be no undue cost pressures placed on them by the entities that operate the port and the port handling and ship loading facilities.

To now focus a little on the Chinese economy is, I think, relevant in a debate such as this. I am chronically embarrassed to say that it was only two years ago that I first visited China. I am embarrassed to admit to the house that I had never previously visited any part of Asia. I had never been to Japan or any of our other major trading partners. In fact, it was not until two years ago that I saw a ship unloaded. I had only ever seen ships being loaded with iron ore, cattle and various other commodities. I had never spent time thinking about how they got the stuff off the ships! It was an extraordinary experience for me when, two years ago, I finally visited some of our customers in China and began to understand the way they handle our iron ore at their ports. I visited Baosteel Group Corporation's operations and port facilities at Shanghai. I could see there the speed of the Chinese economic operation. The momentum of the Chinese economy looked simply unstoppable. So much has happened in a very short time, including the outbreak of the sub-prime crisis in the latter part of 2007 and the financial markets' collapse in confidence that has led to, rather than been led by, the bursting of the financial derivatives bubble. The fallout has now spread around the globe. Tightened credit conditions and falling consumer confidence have significantly impacted on the real economy. The statistics show that all major western economies have slowed down in the second quarter of 2008. China, a country heavily reliant on international trade, with a huge amount of US-dollar assets, has not been able to de-couple from the deteriorating external environment. We need to understand the significance of the impact on China. Sure, China's rate of growth is still extraordinary, given a prognosis for growth of around 7.5 per cent and the prediction that the Chinese economy will recover in the second quarter of 2009. However, we must fully understand the changes to China's circumstances. Also, we must understand what those changes will require of us, as legislators, in the way we handle not only this agreement bill, but also other projects and their proponents operating in the Pilbara and around Western Australia. I hope that soon I will get the chance to go back to China and to better understand the changed Chinese circumstances that have emerged in response to the global economy. I would like to better understand some of our other customers and competitors. Members can appreciate that a lot of pressure is often placed on parliamentary representatives. I want to say this particularly to the new members: I made a mistake early in my parliamentary career of not better understanding the circumstances of our trading partners and the impact that their circumstances were to have upon my part of the world—that is, the regional areas of Western Australia. That impact was probably not at all understood by too many people. The great demands that were to come from China were scarcely understood by the Chinese government when it unleashed its economic changes. It is now the task of members of this place to translate those changes to meet the circumstances in their local communities. Suddenly, it was a case of all systems go, and then the systems began slowing down. However, lost in the great announcement of BHP's reluctance to proceed with its takeover of Rio Tinto was its near \$10 billion investment to expand the iron industry—virtually all of which was in the Pilbara region. Huge expansion is still being undertaken, yet it was lost in the headlines of last week. These are just some of the pressures that are placed on our communities as a result of the current level of confidence about the market. Agreements such as this one need to be carefully examined, and I look forward at some early point, either in the second reading response or during consideration in detail, to getting on record a response to some of these issues.

MR J.J.M. BOWLER (Kalgoorlie) [12.38 pm]: I first became aware of this state agreement in about 2001. At that time, especially considering the tonnage involved, I was extremely surprised to find an agreement for a multi-billion dollar deposit had been made with a company of limited resources and with no experience in mineral development. That it was not a mining company such as BHP or Rio Tinto surprised me. It is always good to look back with twenty-twenty vision; it is always a lot easier with hindsight. Members must realise that in 2001, 2000 and 1999, when this agreement would have been discussed, there had been no major new

developments in Western Australia and therefore any government would have been keen to facilitate new developments and new mines in our state. There had been precious little or no major expansion in operations in the north west, and here was a promise not just of a new mine, but also, for the first time, of achieving what most Western Australians had been dreaming of—the ability to process our iron ore, to beneficiate the ore to a higher ore content or even into pellets perhaps even into steel itself. Therefore, it is no wonder that the state government at the time, and then in 2002 the then Minister for State Development, Clive Brown, jumped at the opportunity.

I was also surprised, I suppose, at the level of processing that was being promised. Today, we are winding back some of that. That is a bit of a disappointment, but it is also a reflection of reality. Despite that wind back, there is still going to be more processing with this iron ore than has ever been done before in Western Australia, so that is to be welcomed. A couple of thousand people will be employed in the development stage and, more importantly, 400 to 500 people will be employed in the operational stage. It is a massive project. I noticed that the Premier's second reading speech referred to four billion tonnes. I think that is a conservative estimate. I believe it will potentially be more than double that. However, when there are four billion tonnes, a company does not want to waste money drilling to find the fifth or sixth billionth tonne. That will be done 30 or 40 years down the track.

These changes are also welcome in the fact that they provide for third party access to that part of the coastline in the Cape Preston area. When I was the Minister for Resources and Minister Assisting the Minister for State Development, I went to China to meet the Chinese government, which has a significant investment in the first stage of this project, and also to meet Larry Yung of CITIC Pacific Mining, to talk to them about any concerns they might have had and how the government could ensure that they had success. This is the first major development of its type by the Chinese government, with Chinese money, in Western Australia. Therefore, the state government needs to make sure that it is successful, because to do otherwise would send a bad message, not just to the Chinese investors, but also to the rest of the world. As a minister, I was acutely aware of some of the issues that we are discussing today. As I said, in 2001 and 2002 I was surprised at the level of processing that was being promised. I am not surprised that it is being wound back to a more realistic level to reflect current times. I believe that what is proposed now is achievable and that what was originally proposed was not achievable.

I also support and welcome the fact that local government rates will now apply in this area. I will quickly say, not related to this, that I am disappointed that the other iron ore producers in the north west are still dragging their feet in their dealings regarding their paying local government rates. They pay local government rates on houses they own in Newman, Port Hedland and other towns in the north west, but they do not pay local government rates, and they should, on other facilities in the north west. Two and a half years ago when I was a minister I thought it was all signed, sealed and delivered. It seems that the companies have let that grind to a halt. I say to the Premier and the rest of the government that they must make sure that that is expedited and resurrected, if it has not been; and, if they do expedite it, they should make sure it moves forward as quickly as possible, because the companies up there have been getting away with not paying local government rates. They have been getting away with it on the cheap, and it is time that they started to pay their way. Fair enough; 30 or 40 years ago when these agreements were established, why would they have paid local government rates? They were the local government. They built the houses; they built all the infrastructure. For the past two or so decades, they have not been doing that, yet they have not been paying full rates. It is unconscionable. These are massive companies with a lot of their ownership overseas; in one case, the head office is overseas. They should be made to pay local government rates forthwith.

Mr T.G. Stephens: It is odd that now we have a couple of companies required to pay rates by virtue of their agreements, yet the earlier companies are left with an unfair advantage that applies to their agreements, which leaves them with no similar obligation.

Mr J.J.M. BOWLER: That is right. I have no doubt that once the Premier and the new Minister for Mines and Petroleum, Hon Norman Moore, get their teeth into this, they will once again expedite this matter and ensure that the other companies in that region start paying what they should be paying.

As I said, I was surprised initially at the level of treatment. I am disappointed that it is being wound back, but I can understand that. The processing that will take place and the beneficiation to take magnetite from 32 per cent to double that percentage, or whatever it will be, will be a great boost to Western Australia. It will also mean that this company needs access to energy, access to gas, and that also brings in some problems that the state has been encountering in the past four or five years. In a state that has these massive gas deposits off its coastline, Western Australian-based companies employing Western Australians are having increasing problems getting access to that gas. Hopefully, that can be overcome, if need be, by the intervention of the government.

I will reassert what the member for Pilbara said about fly in, fly out arrangements. I have long been known to be an opponent of this. I have seen it weaken the towns in my electorate. I have described it as the cancer of the bush. In saying that, I realise that in some very isolated and new mines, and mines that have a short life span, it is

a necessary evil. This deposit is, as the Premier said, four billion tonnes. I think it will be at least double that. It has a 40, 50 or 60-year mine life at least. There is no way that it should be FIFO. It is not too far from Karratha. Of course, the problem in Karratha is that not enough land is being developed. It is a challenge for the new government to have more land released in that area of the state, because if we do not have the land, we cannot house the workers; and if we cannot house the workers, the only possibility left is FIFO. Therefore, the government will need to deal with a number of issues to facilitate these projects, but I am sure that it will do it in the coming months.

Finally, the people of the Pilbara have been very patient in waiting for this type of downstream processing to take place. This is an opportunity. I believe that when Sir Charles Court initially established the developments in that area, it was a long-held dream of his. Even though this agreement reduces some of those initial commitments, they are a step in the right direction, and I commend the bill to the house.

MR C.J. BARNETT (Cottesloe — Premier) [12.47 pm] — in reply: I thank members for their support of the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill 2008. It is a variation agreement to the main agreement—something that was negotiated largely under the previous government and has simply been brought forward. The important thing about this whole project is that it is the first large development of a magnetite ore, rather than the traditional hematites. The significance of that is that the magnetite ore has a grade of 15 to 32 per cent iron content, whereas the hematites tend to be 61 or 62 per cent. Therefore, this is ore that it was long assumed would simply stay in the ground and never be developed. It is the first development of a low-grade resource and a very large resource.

The project—I think the member for Kalgoorlie summarised it fairly well—has had a long history. Sometimes the expectations of the proponents were beyond what I at least thought through the 1990s was reality. Now we have come back to what is reality, and that has started at a basic level of producing a concentrate and pellets. Hopefully, it will progress to hot briquetted iron, and ultimately to maybe even steel.

In response to the specific questions asked by the member for Pilbara, I will deal first with the fund that is to be established. The state agreement acknowledges Mineralogy Pty Ltd's intention to establish a prescribed private fund. A mechanism for managing the fund is yet to be determined. However, it will be administered as a prescribed private fund in accordance with the Income Tax Assessment Act 1997. The two members representing that broader Pilbara area might be interested in having some discussions with me about the way in which that fund will operate. It is yet to be established. There is a commitment, and it is acknowledged in the agreement act.

Mr T.G. Stephens: Are there payment schedules? Is there something —

Mr C.J. BARNETT: I will give the member a copy of what is in the main agreement act, but the point I am making is that the details of how that is to be established and operated are yet to be determined. The other question the member for Pilbara raised, and on which the member for Kalgoorlie spoke, relates to local government rating. The current state agreement for this project provides for rates to apply only to unimproved value of land. This variation agreement removes that rating concession and allows rates to be levied in accordance with ordinary laws of the state. They will be calculated on the improved value of land; that is, the gross rental value of Cape Preston rates were applied to improvements to buildings, offices, accommodation, security buildings and plant shed but not the plant itself. I think the Shire of Roebourne, with the advice of the Valuer-General will be able to introduce rates, and he made his comments about that.

Debate interrupted, pursuant to standing orders.

[Continued on page 999.]

NOLLAMARA ELECTORATE —SCHOOL PRINCIPAL RETIREMENTS

Statement by Member for Nollamara

MS J.M. FREEMAN (Nollamara) [12.50 pm]: I wish to acknowledge the outstanding contribution of a principal and deputy principal in the Nollamara electorate who are celebrating their retirement this week. Both women have demonstrated long-term commitment to the education of children in Western Australia and are to be congratulated. Ms Margaret Swain is currently the principal of Alinjarra Primary School. That school, in Alexander Heights, is well respected and provides a supportive environment to students in attractive surrounds. Ms Swain has been integral to the success of the Alinjarra Primary School. Her professionalism and dedication to the students and teaching staff have been outstanding. Ms Swain is recognised for her genuine motivation to achieve the best outcomes for the students. Further, she is committed to the members of the teaching profession and their training. This was demonstrated in 2007 when Alinjarra won the Edith Cowan University-Swan student partnership award attesting to the many opportunities afforded student teachers and speech pathologists to gain vital practical skills at the school. Ms Margaret Swain retires after 42 years as a teacher, and her contribution is appreciated

POSITIVE IMAGE AWARD 2008*Statement by Member for Morley*

MR I.M. BRITZA (Morley) [12.51 pm]: On Friday, 28 November 2008 Western Australian high school students earned the title of district ambassador in the annual Positive Image Award, now in its eleventh year. Each year, every secondary school in Western Australia is invited to nominate one student—a school ambassador who leads by example and is an inspiration to their friends and peers. I am pleased to say that a student within my electorate is one of these ambassadors, and I congratulate Ashlyn Martin of Morley Senior High School. The Positive Image Award was an initiative introduced by the previous Liberal government, and highlighted the wonderful work of young people throughout our great state. We sometimes need reminding that the vast majority of young people today do the right thing—obey the law and make positive contributions to our communities. The Minister for Youth has advised me that the young winners of the Positive Image Award have been chosen as an example to the thousands of young Western Australians who give their time and energy selflessly every day to help others, and I congratulate them for their achievements.

I understand that many of the district ambassadors are committed to raising awareness about social issues in their communities, helping others locally and internationally, mentoring younger students and achieving positive outcomes, despite adversity. These young Western Australians inspire tremendous confidence that the future of our state is in great hands. I heartily congratulate all the young winners, particularly Ashlyn Martin.

SWAN VALLEY — DAMPIER TO BUNBURY GAS PIPELINE*Statement by Member for West Swan*

MS R. SAFFIOTI (West Swan) [12.53 pm]: I have an issue concerning the expansion of the Dampier to Bunbury natural gas pipeline. I welcome the expansion of the pipeline to meet Western Australia's growing energy needs. However, it is important to ensure that the expansion does not occur at the expense of the livelihoods of landowners affected by the works. My concern relates specifically to a number of vineyards in the Swan Valley that will be impacted on by the expansion of the pipeline. The wine industry is essential to the economy of the Swan Valley and is a major employer in the region. As part of the expansion works, the pipeline operator is planning to cut a large open-cut trench through a number of vineyards in the Swan Valley. If this goes ahead, it will result in the destruction of a number of quality vines, some of which were planted as early as 1945. It will also cause important viticulture infrastructure to be destroyed. This will have a devastating effect on the livelihoods of the affected winegrowers, their families and employees. Alternative routes can be found for expansion of the pipeline without destroying the livelihoods of these people.

I had the opportunity to raise this issue with the Minister for Lands, and I know that he does not want to see the livelihoods of those people destroyed. I have asked the minister to ensure that no further work is undertaken on these properties and that an alternative option be progressed to the proposed open-cut trench.

CHARLIE GREGORINI*Statement by Member for Swan Hills*

MR F. ALBAN (Swan Hills) [12.54 pm]: Yesterday, along with other members of this house, I attended the funeral of Charlie Gregorini, who was the Mayor of the City of Swan. It was such a sad occasion and his is such a sad loss. Words of condolence to his wife, children and grandchildren seem inadequate. How do people explain to his grandchildren the loss of their granddad, their nonno? I hope they were comforted by the large crowd that attended the funeral to pay their last respects to this great man.

Charlie had 30 years' experience in local government and for most of those years he was the president of the Shire of Swan, which later became the City of Swan. I imagine that his record speaks for itself. As a councillor, I had the privilege to serve with Charlie on the City of Swan for five years. Charlie, as both a mentor and an elder statesman, will be sorely missed. I am sure his influence and memory will be with us for some time. Our thoughts are with his family at this time.

AGED CARE FACILITIES — CARNARVON*Statement by the Member for North West*

MR V. CATANIA (North West) [12.55 pm]: The lack of aged care facilities in the Carnarvon community is a major issue for residents, young and old. The Howard government took away the only aged care facility between Geraldton and Port Hedland. With thanks to the community, led by the Shire of Carnarvon and seniors, particularly Dudley Maslin, the shire president, today the shire announced that it had managed to secure a service provider who will make an application to build an aged care facility in Carnarvon, with a plan to provide 40 beds at this stage. I look forward to both the state and federal governments covering the cost of the building. This facility will free up 11 beds at the Carnarvon hospital and give seniors the opportunity to remain in their hometown with their family and friends.

SENIORS — KINGSLEY*Statement by the Member for Kingsley*

MS A.R. MITCHELL (Kingsley) [12.56 pm]: It is my pleasure to acknowledge the outstanding voluntary service of three seniors organisations operating in the Kingsley electorate: WANJOO Seniors, Kingsley Seniors Citizens Club and Greenwood-Warwick Senior Citizens Club. These organisations provide on a weekly basis, and at least twice a week, entertainment; physical activity, including indoor bowls and dancing; catering; social interactions; and mental stimulation. Additional excursions are organised and conducted throughout the year for the members of these organisations. These organisations seek little support, but provide a valuable service to seniors in the community at a very low cost. Residing in the retirement and lifestyle villages within the electorate are many people who are responsible for conducting the social activities for people within those villages. I also acknowledge these people. I am humbled by the dedication of these people who ensure continued support for both the organisations and seniors within the Kingsley electorate.

*Sitting suspended from 12.57 to 2.00 pm***QUESTIONS WITHOUT NOTICE**

PETER CONRAN — APPOINTMENT AS DIRECTOR GENERAL OF THE DEPARTMENT OF THE PREMIER AND CABINET

145. Mr E.S. RIPPER to the Premier:

I refer to the selection process for the Director General of the Department of the Premier and Cabinet.

Several members interjected.

Mr E.S. RIPPER: Emperor, today you told the house that you met with the Commissioner for Public Sector Standards.

Withdrawal of Remark

Mr R.F. JOHNSON: Under the standing orders of this house, we refer to members by either their title or their electorate.

The SPEAKER: I ask the Leader of the Opposition to withdraw.

Mr E.S. RIPPER: I withdraw.

Questions without Notice Resumed

Mr E.S. RIPPER: Today the Premier told the house that he met with the Commissioner for Public Sector Standards and discussed with her the desired qualities in members of the selection panel. However, the note that was handed to him and subsequently tabled shows that no such discussion ever took place.

- (1) Is it not the case that the Premier has woven such an intricate web of deceit with regard to his intimate involvement in the appointment of Mr Peter Conran that he cannot now get his story straight?
- (2) How else can the Premier explain this very surprising inconsistency?

The SPEAKER: Before the Premier answers that question, I advise the Leader of the Opposition that he cannot accuse someone of deceit. I will give the Leader of the Opposition a chance to rephrase the question, if he would like, but he cannot use the word "deceit".

Mr E.S. RIPPER: I will rephrase the question. Is it not the case that the Premier has concocted such a story to disguise his intimate involvement in the appointment of Peter Conran that he can no longer remember exactly what was the sequence of events?

Mr C.J. BARNETT replied:

- (1)-(2) One of the first decisions, if not the first decision, this government made was to create a separate Public Sector Commission to oversee the public sector in this state, to provide leadership and to restore the independence and enhance the professionalism of the public sector. Under the Labor government, the independence and integrity of the public sector were severely compromised, as members will be aware from the proceedings of the Corruption and Crime Commission.

Ms A.J.G. MacTiernan: That is simply ridiculous.

Mr C.J. BARNETT: It has been severely compromised. Some of the best people have left, and we set about correcting that by having an independent Public Sector Commission.

Mr M. McGowan interjected.

Mr C.J. BARNETT: I will not answer the questions if members opposite will not allow me the courtesy of answering them.

Mr Malcolm Wauchope, a long-term career public servant, has become the Public Sector Commissioner, and he has started in that role. That, of course, left the Department of the Premier and Cabinet—as the department reporting to the Premier of the day and the department with responsibility for coordination across government, including what will be a renewed focus on policy development across government and the implementation of the policy agenda of the government—without a head of department. I think everyone in that area will agree that this is something that has been neglected. It has to be the prime focus. We could have had a term-of-government appointee, but that would have restricted the appointee's power to administer staff and would have been a shortcoming. There was a proper process of advertising, selection and appointment through cabinet. I had a conversation early in the process—probably just internally—about the sorts of characteristics I was looking for from the person who would be running that department.

Mr E.S. Ripper: Who did you have that conversation with?

Mr C.J. BARNETT: I had several conversations.

Mr E.S. Ripper: With whom?

Mr C.J. BARNETT: I do not know, to be honest; certainly my chief of staff and perhaps Malcolm Wauchope. I do not know. Who knows?

Mr E.S. Ripper: You do!

Mr C.J. BARNETT: The government was making a policy decision and the focus was the setting-up of the Public Sector Commission. When determining the qualities of the person we wanted to attract to the position of head of the Department of the Premier and Cabinet, I would have spoken to probably a dozen people. I was looking for someone who possessed qualities such that they would provide leadership to the department, have experience in government, have knowledge of federal-state relations—particularly the Council of Australian Governments process—and be familiar with Westminster-style cabinet government. Those were the sorts of characteristics I was looking for. I think Peter Conran is eminently satisfied and qualified in all those areas.

Mr M. McGowan: I'm sure he's satisfied!

Mr C.J. BARNETT: The member should listen.

An advertisement was created. My view —

Ms A.J.G. MacTiernan: When was that?

Mr C.J. BARNETT: I will give the member the date in a moment. The advertisement was placed in *The West Australian* and *The Australian*.

Ms A.J.G. MacTiernan: Just one ad?

Mr C.J. BARNETT: Yes. It was national advertising, and I can probably provide the date in a moment. It was advertised nationally. My views about the sort of person who would be sought for that position, and the sorts of issues that I would look for and that I would normally expect a selection panel to canvass, were well known; there was no secret. I would probably have told the media what I was looking for in that position.

Mr M. McGowan: You told them who you were looking for, actually.

Mr E.S. Ripper: We first heard the name Peter Conran from a journalist.

Mr C.J. BARNETT: I have two choices, Mr Speaker. I can answer the question or I can sit down and we can move on to the next question.

Several members interjected.

Mr C.J. BARNETT: This is the third time the opposition has run on this matter, and I am trying for a third time to answer the question.

Several members interjected.

Mr C.J. BARNETT: If the opposition would let me answer the question, we might make some progress.

Several members interjected.

The SPEAKER: I know the opposition is interested in the question, and I am sure that the Leader of the Opposition, who asked the question, is interested in getting an answer. It may assist all members in the house if there were fewer interruptions so that the Leader of the Opposition can get an answer to the question he has asked.

Mr C.J. BARNETT: The sort of person I was looking for was well known in my office and well known to the Department of the Premier and Cabinet because it had been articulated, and we had put out statements about the formation of the Public Sector Commission and the clear distinction between running the Department of the

Premier and Cabinet and running the public service. This is a fundamental reform of the public sector in this state. It was the first decision that this government made on an issue that we spoke about and committed to during the election campaign. It was the first election commitment that this government delivered. Those views were widely known and the position was advertised. The Commissioner for Public Sector Standards, Dr Ruth Shean, then came to see me, as is required, and told me the composition of the selection panel, and I said, "Fine by me."

Ms A.J.G. MacTiernan: That doesn't make sense.

Mr C.J. BARNETT: I am answering the question. I am sorry, but that is what happened.

I go back to the opposition's little play on words—"beforehand". Did I know the composition of the panel before it was selected? No.

Mr E.S. Ripper: Before the selection of Peter Conran.

Mr C.J. BARNETT: I am giving the Leader of the Opposition the answer. Did I know the composition of the selection panel before it was constituted? No, I did not. Did I know the composition of the selection panel before it conducted the interviews? Yes. Did I nominate or influence the composition of the selection panel? No. The selection panel did its job, made its recommendation, the recommendation went to cabinet and Peter Conran was appointed.

PETER CONRAN — APPOINTMENT AS DIRECTOR GENERAL OF THE DEPARTMENT OF THE
PREMIER AND CABINET

146. Mr E.S. RIPPER to the Premier:

I have a supplementary question. Why will the Premier not directly and precisely address the evident contradictions in the statements on this matter that he has made to the house?

Mr C.J. BARNETT replied:

It is because the Leader of the Opposition is playing with semantics and using selective quotes. The account I have just given him is accurate and truthful. What possible interest would I have in getting up to the sort of contrivance he is suggesting?

TEACHERS' PAY DISPUTE — RESOLUTION

147. Ms A.R. MITCHELL to the Premier:

Given the overwhelming vote in favour of the government's salary package for teachers, will the Premier confirm that the long-running dispute over teachers' pay, and the most disruptive effect of that lengthy dispute on teachers in my electorate and across the state, is now over?

Mr C.J. BARNETT replied:

I thank the member for Kingsley for the question.

The dispute had been going on for a year. How are we to get quality teaching, the confidence of parents, children learning and schools functioning well if we have an ongoing 12-month dispute with teachers? The approach of the former Labor government to the teaching profession in this state was little short of shameful, including its members standing up at conferences and insulting teachers publicly. That was the standard the Labor Party set in government. During the election campaign we said that education would be a top priority for a Liberal government—a Liberal-National government as it transpired. We said that we would start by paying our teachers not just fairly but well. We want well-paid teachers; we want to retain quality teachers; and we want to attract talented young people into teaching. Surely, the opposition does not have a problem with that. We made a full, global commitment of \$120 million in addition to the previous government's offer. We told teachers that we would do that. What did we do? We said that six per cent would be in their pay next pay day, that we would continue in good faith to conclude the agreement and that, regardless of what the State School Teachers' Union of WA might want to talk about, we, the employers on behalf of the people of this state, would immediately give them a six per cent pay rise. We did that; we paid them six per cent before the agreement was concluded. The agreement was then negotiated. I congratulate the Minister for Education, who concluded the negotiations, along with the Director General of the Department of Education and Training. Then, as is required, the teachers' union put that agreement to its 25 000 to 35 000 members for a vote. I know it must make opposition members feel ill to know that 93 per cent of teachers voted yes to the Liberal-National government's offer, and that they did it within 72 days compared with the 365 days, or whatever it finally worked out at, for the dispute. They voted yes. The Minister for Education got not only a distinction, but also a high distinction, probably an exhibition and certainly dux of the class for that result.

ASSAULTS ON NURSES — BROKEN ELECTION PROMISE

148. Mr R.H. COOK to the Attorney General:

I refer the Attorney General to the *Today Tonight* exposé on Wednesday, 19 November, which revealed the hundreds of sickening and vicious assaults on nurses in hospital emergency departments each year.

- (1) Will the Attorney General confirm media reports that he intends to break yet another election promise by failing to protect front-line nurses and mental health nurses from violent thugs?
- (2) Will he explain to the nurses of Western Australia why they are not worthy of equal protection under the law he is proposing?

Mr C.C. PORTER replied:

I thank the member for his question. He has excellent taste in television news.

- (1)-(2) He is obviously referring to today's legislation, which will bring about in due course minimum mandatory sentences for assaults on police officers. He is obviously referring to the fact that the original legislation, which was brought into this place as a private member's bill, had an extended definition to public officers, which would have encapsulated nurses in that process. It is a very valid question. I preface my answer by saying that when he asks why we would fail to apply this additional protection to nurses, it is obviously the case that the opposition would not apply the additional protection to police officers, let alone any other category. That is the case, is it not?

Mr R.H. Cook: What are you going to do? What is your legislation?

Mr C.C. PORTER: I will get to that. Just so that it is in context, the standing position of the opposition is to oppose minimum mandatory sentences, not only for assaults on police officers, but also indeed for any category of public officer. It is the case that we have drawn the line —

Mr R.H. Cook: I think the question was to you.

Mr C.C. PORTER: I am answering the member's question. It is the case that we have drawn the line with minimum mandatory penalties for assaults to police officers. As the member would be aware, mandatory penalties are perhaps the strongest and, in some instances, bluntest instrument that the criminal law has to offer. They are a very, very strong response. The response that we have put before the house today with respect to police officers is the strongest response for legislation of this type anywhere in any state or territory in this country.

Mr J.A. McGinty: What's that got to do with nurses?

Mr C.C. PORTER: We will get to that in a moment.

Opposition member interjected.

Mr C.C. PORTER: That is a ridiculous comment. As I was saying, this is a very, very powerful instrument of the criminal law and it is very difficult to decide precisely where to draw that line. The line has been drawn for police officers. The way the legislation is drafted, it will be extended to Aboriginal police liaison officers. It will not go as far as is the case with other public officers such as nurses.

Mr R.H. Cook: You promised you would do that.

Mr C.C. PORTER: I concede that that was part of the Liberal Party policy document. The line has been drawn inside the line that was drawn in the document. I am prepared to stand here and say that that is the case. Do members on this side of the house want to know where the line would have been drawn with members opposite? It would not have been drawn at all. They are asking us why we did not do something that they are absolutely, fundamentally and philosophically opposed to doing. The legislation that the former government brought in to amend sections 297 and 318 of the Criminal Code was good legislation and it does go some way in offering additional protection to the categories of people that the Deputy Leader of the Opposition nominated, being nurses and other allied health care workers. That legislation increases the penalties for certain categories of offences. The legislation that we have brought in is at the absolute forefront of protection for police officers. The really interesting question here will be: will the opposition support it?

COMMUNITY SAFETY

149. Mr A. KRSTICEVIC to the Minister for Police:

The deterioration of community safety is a primary concern for constituents in my electorate of Carine. What steps has the minister taken to make communities safer?

Mr R.F. JOHNSON replied:

I thank the member for Carine for his question. I would be delighted to inform the house of the steps I have taken as Minister for Police to try to make Western Australia a safer place, because we need to do that. We saw a huge

increase in violent crime under the former government's watch over the past seven and a half years. We have seen criminals who should have gone to jail and not go to jail because, quite frankly, the former government was soft on crime, soft on criminals and soft on drugs. Even now in opposition, the shadow minister is critical of the number of times our police officers use their Tasers, which were introduced under the former government's watch. Now she is critical of the police for using them. The police were given the tools to use, and now she is critical of them using them. Why do the police use Tasers? It is because they come up against many violent thugs in our society who have proliferated under the previous government's watch.

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

Mr R.F. JOHNSON: We are doing a heck of a lot. What else happened under the previous government's watch? We were told by the previous police minister that the previous government could not increase the penalty for first-time offences for hoons from 48 hours to seven days. Members of the opposition had to be dragged kicking and screaming before they admitted that that was not the case. They were misleading Parliament all the time. What did they do? They increased the penalty to seven days. We had to virtually bash them into that because they were not prepared to do it. How many cars have been confiscated under the previous government's legislation?

Mr E.S. Ripper: Where is your promise?

Mr R.F. JOHNSON: A big round figure.

Mr E.S. Ripper: Where is your promise?

Mr R.F. JOHNSON: I am just about to tell the Leader of the Opposition. That is your promise, my friend. That is the opposition's performance in law and order, in the fight against crime and in the fight against people who put other lives at risk on the roads.

An opposition member: Where are you?

Mr R.F. JOHNSON: Where are we? I will tell members where we are. As we speak, legislation is being drafted to deal with people who commit hooning offences. For a first offence, we will retain the number of days of confiscation at seven, and for a second offence it will be 90 days.

Mr E.S. Ripper: It's too late to meet your promise.

Mr R.F. JOHNSON: It will not be 28 days as it was in the former government's legislation. For a third offence, there will be mandatory—that word those guys opposite do not like—confiscation, and those people will lose their vehicle and the funds will go into the road trauma trust fund. That is where those funds will go.

Several members interjected.

Mr R.F. JOHNSON: What did members opposite do when they got into government last time?

Mr E.S. Ripper: We introduced the legislation.

Mr R.F. JOHNSON: Members opposite must take responsibility for all the graffiti in the community, because they are the ones who abandoned the graffiti task force. We will have that.

Mr J.A. McGinty: Are you going to crush them?

Mr R.F. JOHNSON: Certainly, some I will.

Mr E.S. Ripper: And then give it to the road trauma trust fund!

Mr R.F. JOHNSON: No; members opposite know that is not true. They are the ones who abolished the graffiti task force, which was very successful under the previous coalition government and graffiti has just spiralled out of proportion now; it is all over the place. I promise members opposite that within 100 days, there will be a graffiti task force. As we promised, we will deliver, and members opposite will see graffiti gradually start to disappear throughout the whole of Western Australia.

Mr M.J. Cowper: It'll take a long time, though.

Mr R.F. JOHNSON: It will take a little while. It has grown so much under the previous government because it left us with such a legacy that it will take us a little while to clean it up. However, we will have the graffiti task force in place.

Yesterday the Leader of the Opposition criticised me for not keeping the promise to reintroduce a regional crime squad. Is that what he said?

Mr E.S. Ripper: Rural crime squad.

Mr R.F. JOHNSON: A rural crime squad. That was one of the crosses against me. The 100 days is not up yet, but I said to him yesterday, "You watch this space." I said to the Leader of the Opposition, "You watch this space, sunshine, because you will have egg on your face before the 100 days are up."

Several members interjected.

Mr R.F. JOHNSON: I want to assure the member for Carine that he now has a government that is tough on law and order.

Several members interjected.

Mr R.F. JOHNSON: We will not be soft like members of the mob opposite. They go weak at the knees when they have to make a really serious decision on law and order. However, they should just watch what a good government can do.

HOUSEHOLD FEES AND CHARGES

150. Mr B.S. WYATT to the Treasurer:

Will the Treasurer reassure senior citizens and other low-income families that he will guarantee not to increase the basket of household fees and charges by more than the inflation rate, as was done by the previous Labor government?

Mr T.R. BUSWELL replied:

I thank the member for Victoria Park for his obvious concern about household fees and charges.

We will work through the household fees and charges model as part of the budget process.

Mr M.P. Murray interjected.

Mr T.R. BUSWELL: In doing that, we will look at all the components of government fees and charges that make up that basket—simple. The member for Victoria Park will have an answer next year when the budget is handed down. Our intent is, where possible, to exercise restraint in the fees and charges levied on households. However, there are some challenges. I will give one. In relation to Verve Energy, the previous government embedded in the fees and charges process a rate for the people of Western Australia that is considerably above the rate of inflation—10 per cent per annum, if my memory serves me correctly. That is therefore one challenge we have to deal with.

I will tell members one other thing we will not do. We will not change the rules so that we can disguise our failures to meet those targets, like the former Treasurer did. Let me explain to the house what happened with the former Treasurer. Every year in May—it will happen next year—we hand down a budget in Western Australia. That budget has a reference rate of inflation for the purpose of the consumer price index. That reference rate of inflation is normally for the year ahead, because that is the rate of inflation at which we are looking when we bring down the budget. Guess what happened when the reference rate of inflation for the year ahead was lower than the reference rate of inflation in November of the year before? The Treasurer changed the figure.

Mr C.J. Barnett: No!

Mr T.R. BUSWELL: Yes, Premier. I know I was shocked, Premier. I still struggle to come to grips with the outcome. We will not cook the books in an attempt to deceive the taxpayers of Western Australia and the people who are paying the fees and charges, as the former Treasurer clearly did. That was indefensible—it was completely indefensible. This is our commitment to members opposite. Listen carefully. In May next year, when the budget is handed down, that information will be provided. It is our intention to deliver modest increases, notwithstanding the fact that the former government has locked us into putting electricity prices up by 10 per cent per annum. The other thing is that we will not try to cook the books.

REGIONAL DEVELOPMENT — REVITALISATION

151. Mr J.J.M. BOWLER to the Minister for Regional Development:

Given the renewed emphasis on regional development and decentralisation under the Liberal-National government, can the minister explain to the house what action the government has undertaken to revitalise the Western Australian regions?

Mr B.J. GRYLLS replied:

I thank the Independent member for Kalgoorlie for his question, and his clear interest in regional development. I begin by congratulating the new government on its support for the \$55.8 million redevelopment of Kalgoorlie Regional Hospital. That project is dear to the heart of the member for Kalgoorlie and also people across the goldfields. That redevelopment, which has been badly needed, and has been waited for, for many, many years, has been delivered by the new government.

I also advise the house of our great support and passion for the expansion of the East Kimberley with the Ord stage 2 project; and also, much more than Ord stage 2, a complete revitalisation of the education infrastructure, the health infrastructure, and the port and airport infrastructure, as well as the very vital agricultural industries

that will now be able to grow. I also advise the house of the worldwide interest in this expansion of the East Kimberley as proposed by the new government. Both the Premier's office and my office are taking calls from across the world from people interested in a new project of this magnitude in the far north of Western Australia.

Mr E.S. Ripper interjected.

Mr B.J. GRYLLS: The former Treasurer still supports that project, does he not?

Mr E.S. Ripper: I support the Ord expansion, but I think the public ought to see the Treasury analysis of it.

Mr B.J. GRYLLS: I am glad the Leader of the Opposition supports the Ord expansion, because the Ord final agreement is a very important part of that. I think all Western Australians are looking with great interest at the expansion of the Ord irrigation district and the growth of the East Kimberley.

I also congratulate the new government on its commitment yesterday for an extra \$29.9 million in funding for the Royal Flying Doctor Service of Australia. I do not think anyone, either in metropolitan Perth or regional Western Australia, would deny the great importance of the Royal Flying Doctor Service. That was brought home to me even more yesterday when, as we were in Jandakot announcing that extra funding to the Royal Flying Doctor Service, one of the planes departed to pick up my grandmother, who had had a heart attack in Corrigin. My grandmother was brought to Royal Perth Hospital yesterday by the Royal Flying Doctor Service. All Western Australians can rest more comfortably knowing that the Royal Flying Doctor Service is now adequately funded to buy new planes and replace older planes so that it can deliver a faster response time to the emergencies that occur and ensure that patient transfers to the major hospitals in the metropolitan area can take place.

I also advise the house of the great excitement from the regional development commissions network, because they now feel, at long last, that the Western Australian government is supporting regional development and decentralisation. I had all the chairs and chief executive officers of the development commissions come to Perth yesterday to discuss with them their new future. It is a completely new deal for the regional development commissions. They are very excited about being given decision-making responsibility for many of the programs that they administer and about being an important part of driving the regional growth agenda of the new government.

Ms A.J.G. MacTiernan: What decisions will they be given responsibility for?

Mr B.J. GRYLLS: I will be happy to announce that shortly, member.

I also advise the house of the great excitement that we have about revitalising the telecentre network in Western Australia. There are 103 telecentres located in remote and regional Western Australia, and they provide a great network of infrastructure for the new government to work with. Over the past eight years, these telecentres have been funded at the miserly rate of \$20 000 a year to try to operate a full-time service in the regions. That is simply not good enough. I look forward to making an announcement in the next couple of weeks about the new support for telecentres, and about how we believe telecentres can become the shopfront for regional development in those 103 communities across Western Australia, and how these telecentres can work closely with the regional development commissions to ensure that there is an integrated network of regional development opportunities across the state.

I thank members opposite for their support for the country age pensioners' fuel card. I know it has caused conniptions for the member for Armadale about rolling the program out. I thank the member for Albany for his public support for this program and his acknowledgment that people who live in regional Western Australia are forced to undertake essential travel, and that pensioners on fixed incomes who are paying the higher price for fuel in country areas bear the brunt of that.

Ms A.J.G. MacTiernan: Do you know who's getting it?

Mr B.J. GRYLLS: I am very aware who is getting it. The member for Armadale is the one who does not seem to be aware of who is getting it, and that is probably because she is sitting on the opposition side. I am absolutely sure that country age pensioners are looking forward very much to that support for them to undertake that important travel. Given the member's in-principle support reported in the newspaper yesterday, I am looking forward to her confirming to country age pensioners that when her side eventually gets back into government, it will continue this program so that country age pensioners can be supported.

I failed to mention the decision on the Muchea saleyards. The government has allocated \$54 million to expand and renew the Muchea saleyards. This is another vital decision for the livestock industry. Anyone who has visited the Midland complex would have seen that it is simply an unacceptable part of our agricultural industry. This is another decision of the government in its first 100 days to revitalise regional Western Australia.

Finally, I will talk about the country local government fund, which will revitalise regional infrastructure. I have advised the shadow Minister for Local Government that the invitation is in the mail to the announcement of that country local government fund. We have taken into account the "Framework for the Future" report

commissioned by local government. We have taken into account the member's concerns about making sure that local government takes a more regional focus, and engages in more cooperation, and we look forward to the member's support for that.

I contrast that with the eight years of the previous government's neglect of regional Western Australia. I contrast the present government's policies with what seemed to be the complete indifference of the previous government to regional development and decentralisation. Regional Western Australia looks forward to a new era under the current government. Before sitting down, I will say that, although I delivered plenty of criticism to the previous government, one thing I never accused it of was being too generous to regional Western Australia. Not once in my time in this Parliament over the past eight years did I criticise the previous government for being too generous to regional Western Australia. What has the member for Armadale, the shadow Minister for Regional Development, achieved in the first 100 days of the new government? I quote from *The West Australian* of Monday, 10 November. Once again, not once did I criticise the previous government for being too generous. The member for Armadale said —

“The royalties for the regions scheme is already very generous,” shadow regional development minister Alannah MacTiernan said.

I thank the member for the compliment.

Several members interjected.

The SPEAKER: Members on my left, and also members on my right, may think that some members in this place take a little too long to ask or answer questions, but I suggest to members on both sides that if they could just desist from interjecting for a little while, members on either side might have more opportunity to either ask or answer questions.

LOGUE BROOK DAM — WATER FOR THE FUTURE FUNDING

152. Mr F.M. LOGAN to the Minister for Water:

I refer to the minister's comments made in the house this week regarding Logue Brook Dam. Has either the minister or the Water Corporation informed the federal Minister for Climate Change and Water, Senator Penny Wong, or her office, about the decision to reopen Logue Brook Dam, thereby undermining the investment of \$50 million by the federal government in the Water for the Future plan that underpins the Harvey Water trade deal; and, if not; why not?

Dr G.G. JACOBS replied:

I thank the member for Cockburn for his question. I think this is the first question he has asked me in his position as shadow Minister for Water—I was wondering where he had got to!

Several members interjected.

Dr G.G. JACOBS: Federal funding of \$49 million was allocated to the issue of water, of which \$35 million has already been spent. I believe that the member for Cockburn is referring to the \$14 million that is conditional on building a pipe that takes water from Logue Brook Dam into the integrated water system. It is not a very hard ask to understand that Logue Brook Dam will not be used as an immediate potable source of water because the government has reopened it for recreational use. The 5.3 gigalitres that was to be put into the integrated water system will now not be.

What the member for Cockburn is going on about is actually not \$50 million-plus; he is referring to —

Several members interjected.

Mr T.R. Buswell: No mates!

The SPEAKER: Treasurer! Thank you, members. I would like to give members on my left more opportunities to ask questions and I would like to give members on my right more opportunities to answer questions, but both sides of the house seem intent on not being able to do either. I would urge a little bit more quiet, and I would like to hear the minister conclude his speech—his answer.

Dr G.G. JACOBS: It will not be a speech; it will be a conclusive answer. The answer is that the member for Cockburn is not referring to the correct amount of money. We do not need \$14 million of that federal funding because we are not building the pipe that goes from Logue Brook Dam into the integrated water system. This issue is not jeopardised. The member for Cockburn is the last person who should be worried about a pipe because he could not manage the last one that had gas in it.

LOGUE BROOK DAM — WATER FOR THE FUTURE FUNDING

153. Mr F.M. LOGAN to the Minister for Water:

I have a supplementary question. Can the minister explain to the house why he has not told the federal government that he has wshed on a deal that was underpinned by a \$50 million investment by the federal government? Why has he not done it?

Dr G.G. JACOBS replied:

It is the same question again. I have answered the question. Of that funding, \$35 million has already been spent. We do not need \$14 million of the funding because we are not building a pipe to take the water from Logue Brook Dam into the integrated water system.

SOUTH METROPOLITAN REGION — AGGRAVATED ASSAULTS

154. Dr M.D. NAHAN to the Attorney General:

According to the most recently available police statistics, between July 2007 and June 2008 there were 2 261 aggravated assaults in the south metropolitan region, which includes my electorate of Riverton. I understand offences against the person spiralled under the previous government. What reforms has, or will, the Attorney General put in place to restore my electorate's faith in the justice system?

Mr C.C. PORTER replied:

I thank the member for Riverton for the question. When I was listening to the question, my mind started ticking over about our 100-day plan. The Premier was enormously generous in allocating to me quite a number of the promises in the 100-day plan, which I was very pleased to take on. I was perhaps given the lion's share of those 100-day promises. I take this opportunity to thank the Premier for his generosity!

Mr C.J. Barnett: It's all right, son.

Several members interjected.

Mr C.C. PORTER: This is the seventy-third day of the Barnett government. A near neighbour of the member for Riverton, the member for Jandakot, spoke well yesterday and pointed out that the Gallop government had not even sat within its first 73 days in power. That was a very strong point.

Mr E.S. Ripper: That is completely irrelevant.

Mr C.C. PORTER: Well, we are getting there. Most of the promises for which I am responsible come under the heading of law and order. The member for Riverton may not know that a quarter of Finland's territory lies north of the Arctic Circle. At that country's northernmost point, the sun does not set for 73 days during summer. Had all the awesome work that this government has done been done in Finland, it would have been achieved in a day! I will go through what would have been achieved in a day if I were in Finland. One promise concerned the restoration of an independent freedom of information commissioner, which is tangentially related to law enforcement. The advertisement for that position has been placed and responses will be received by 18 December. Truth-in-sentencing legislation, which will add significantly to the penalties imposed for the types of offences the member for Riverton spoke about, passed through the Legislative Assembly last evening. Legislation to impose mandatory penalties for assaults on police officers has been introduced. Legislation has been drafted to increase the penalties for graffiti offences and will shortly be presented to cabinet. The business case to commence work on a juvenile facility will be finalised shortly. I have asked for that business case to be designed to be completed out to the end of 2011 because of the great need in that area. On the promise to repeal Labor's prostitution laws, I have given instructions that that legislation never be proclaimed. That has been achieved. That may be of great interest to people in the member for Riverton's electorate, who otherwise might have had suburban brothels popping up next to their houses. One promise with which I am struggling a little—I will apologise to the Premier for this later—is the drafting of legislation on prohibited behaviour orders. That legislation will take a little longer to draft, so the Leader of the Opposition might give me a little cross for that. We have also managed to introduce legislation to compensate 1 730 people who were wrongfully jailed. That legislation will be of interest to the member for Mindarie. He saved one person, but his colleagues jailed another 1 730. In the short time in which we have been in government—the Finnish day—I have managed to allocate \$6.45 million to the fighting of organised crime through the confiscation and proceeds of crime account. I hope that will satisfy the member's constituents for at least another day or two.

JOONDALUP HEALTH CAMPUS

155. Mr A.P. O'GORMAN to the Treasurer:

Three weeks ago the Minister for Health advised that he had made a submission to the Treasurer for \$226.4 million for the redevelopment of Joondalup Health Campus.

- (1) Has that redevelopment been approved?
 (2) When will the government release the funds for the contractual negotiations to conclude?

Mr T.R. BUSWELL replied:

- (1)-(2) I thank the member for his question on Joondalup Health Campus. As the member and most other members from the northern suburbs would be aware, this is a fundamentally important piece of health infrastructure. The member is right; the Minister for Health and I have had a number of conversations about Joondalup Health Campus. That matter is progressing. When it has been dealt with by cabinet, in the normal processes of government, an announcement will be made.

Mr J.A. McGinty: Is that the best you can do?

Mr T.R. BUSWELL: Let us consider the history surrounding Joondalup Health Campus. How long did the member for Fremantle beat around the bush —

Mr J.A. McGinty: The ball is in your court now.

Mr T.R. BUSWELL: Yes, it is in my court. We will belt it right over the net and deal with it shortly. Our government ministers do not come in here and prevaricate and make promises to which they never commit; we come in here and get things done. That is a hallmark of the new government. As the Attorney General, the Minister for Regional Development and the Premier have all pointed out, we have done that and we will keep doing that. We will do that for Joondalup Health Campus.

Mr E.S. Ripper: You're gunna.

Mr T.R. BUSWELL: No, we have done it. The former government never did that. We will continue to deliver on the commitments that we gave to the people of Western Australia. One of those commitments will involve delivery on the redevelopment of Joondalup Health Campus.

JOONDALUP HEALTH CAMPUS

156. Mr A.P. O'GORMAN to the Treasurer:

I have a supplementary question. Will the Treasurer announce the commencement of the redevelopment of the Joondalup Health Campus before Christmas 2008?

Mr T.R. BUSWELL replied:

I thank the member for the follow-up question. We will announce it when it has gone through the proper process of cabinet; not before. I will tell members one other thing we will do when we announce it: we will give an accurate indication of what it is going to cost and when it will be completed. Do members know what that will be, in the history of the delivery of health infrastructure in this state in the past eight years? Unique, because it never happened on their watch! It never happened. I will tell members what the people of the northern suburbs will not get from us—repeated promises about a vacant block of land in Murdoch. We will deliver through an appropriate process. We will make commitments and we will deliver on them. The people of Western Australia will say, "Thank heavens!"

STATE BUDGETARY POSITION

157. Mr F. ALBAN to the Treasurer:

Constituents in my electorate of Swan Hills are increasingly worried about the state's budgetary position. Can the Treasurer explain why —

Several members interjected.

Mr F. ALBAN: I am glad members opposite are very happy because they will be there quite a long time! So enjoy yourselves on that side of the chamber!

Can the Treasurer explain why our budget is not in a better state despite the recent record resources boom?

Mr T.R. BUSWELL replied:

I thank the member for Swan Hills for the question. Having visited the member's electorate during the campaign, I am aware of the issues that confront small business in that electorate and their interest in the state's economy. It is obvious to everyone in this house that the people of the electorate of Swan Hills have something that is completely foreign to the members of the opposition, and that is an understanding of current world events! They are obviously people who pick up newspapers and turn the television on when the news is on and see things like "global financial crisis"—GFC. I will spell it out to members opposite every day because they do not seem to understand it is happening. They do not seem to understand that it is having a significant impact on economies across Australia and state and federal finances across Australia. It is impacting on —

Mr F.M. Logan interjected.

Mr T.R. BUSWELL: I would be very careful, my friend! For members interested, hop on the Senate website and look at what it says about that individual and his handling of the last crisis to hit this state—the Varanus Island crisis! He came in here and said, “Do you know what happened? I flew to Varanus Island. I came back, and do you know what happened? The pipeline blew up!” He flew all the way up there to work out that a pipeline had blown up!

Several members interjected.

Mr T.R. BUSWELL: I wish to focus on four key issues. Firstly, the fact —

The SPEAKER: This is going to be the last question today. Some members may think that is a great thing. I think it is possible for this place to actually deal with more questions and get more answers. I would urge the Treasurer to answer the question.

Mr T.R. BUSWELL: I thank the Speaker for that guidance.

There are four key issues I will touch on. These are the four legacies of eight years of Labor. Firstly, we have inherited a rate of recurrent spending growth that is non-sustainable. The opposition grew fat whilst in government on the hard work of the taxpayers of this state. Secondly, the previous government handed down —

Several members interjected.

The SPEAKER: Order!

Mr T.R. BUSWELL: I am trying to follow your instructions, Mr Speaker. Secondly, the previous government handed down a budget in May of this year that saw this state’s finances heading into dangerous, perilous territory, with state debt rising to record levels and the surplus effectively evaporating. The third legacy was a capital works program that was never delivered on time and on budget. The fourth legacy—I will close on this—is land tax, and taxation in general. The fourth legacy that the former government left the people of this state with is the most oppressive taxation regime in the history of any state-based jurisdiction in Australia. If the people of WA want any reminder of that legacy, it will probably be turning up in the mail shortly in the form of that land tax assessment. Land tax assessments were based on rates that the former Treasurer approved in the May budget, based on figures that he knew when he approved them. In the May budget, the then Treasurer said that land tax bills will go up by 30 per cent.

Several members interjected.

Mr T.R. BUSWELL: The former Treasurer, like some modern-day fiscal Vlad the Impaler, has reached up out of the political grave and stuck his knife into the bones of Western Australian taxpayers! I will give members two examples. The member for Murray-Wellington brought me an example yesterday of a land tax payer in his electorate whose land tax went up from \$5 892 to \$20 519—a 250 per cent increase. Yesterday afternoon, the member for Wanneroo saw me with an example of land tax that was \$33 970, and it went up to only \$450 000! Is that a 30 per cent increase or is that 1 220 per cent increase?

A government member: Is that CPI?

Mr T.R. BUSWELL: Yes—in Zimbabwe! I can see them now!

However, I will tell members what I will do. I will write all members a pro forma letter that will explain very clearly why people who own property in this state are being ripped off. It will have a photo of the current Leader of the Opposition on it and his phone number so people can ring up, and it will explain it very clearly. We will send it to members of the government and to members of the opposition. That is the Leader of the Opposition’s final legacy to the people of Western Australia.

BARNETT GOVERNMENT — PERFORMANCE

Matter of Public Interest

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

Dear Mr Speaker,

Matter of Public Interest

I wish to raise the following as a matter of public interest today, Thursday December 4, 2008.

“That the House condemns the Barnett Government for its failures, in particular its admission that the State Budget may go into deficit.”

The letter is signed by the Leader of the Opposition. The matter appears to be in order to me, and at least five members will need to stand in support of the matter being discussed.

[At least five members rose in their places.]

The SPEAKER: The matter can proceed.

MR E.S. RIPPER (Belmont — Leader of the Opposition) [2.52 pm]: I move —

That the house condemns the Barnett government for its failures, in particular its admission that the state budget may go into deficit.

I was quite surprised, given the record of five budget deficits out of eight budgets when the Premier was last a member of an expenditure review committee in government, that after only 72 days in government, the Premier would once again publicly contemplate the prospect that the budget would go into deficit. I was even more appalled in question time when the Treasurer, who should be the guardian of fiscal rectitude, contemplated it being appropriate to borrow to pay for wages, pens and paper and presumably water and electricity bills as well—to borrow from our children's future to pay for those basic operating costs for the delivery of services to people today. That is what the Treasurer thought was appropriate. That is what the Treasurer understood would be the consequence of going into deficit.

There will be, of course, a temptation for the Treasurer and the Premier to make reference to the federal budget. However, it is a different set of circumstances. The federal budget has automatic stabilisers that are not in state budgets. The federal budget also includes grants to the states for infrastructure that form part of the overall balance. Therefore, if the federal budget goes into deficit, part of the deficit is for investment in infrastructure, whereas our headline balance is an operating balance. If Western Australia goes into deficit, it is not going into deficit for infrastructure; it is going into deficit to pay for wages, pens, paper, water bills—all those other consumables.

In their defence, the Treasurer and the Premier might say, "Well, look at the position in Queensland and in other states." Again, Mr Speaker, the positions are not directly comparable. In Queensland, the returns on financial assets are part of the general government sector. Consequently, a bad experience in the financial markets, which most people who have invested recently have had, will show up as a decline and, in certain circumstances, as a deficit in Queensland's operating balance.

In Western Australia, the financial assets held by the Insurance Commission and by the Government Employees Superannuation Board are outside the calculation of the operating balance, making it unsatisfactory for either the Premier or the Treasurer to refer to the position of either the federal government or the Queensland government. By the way, it would be interesting for the Treasurer to advise the house about the decline in assets since 30 June of the Insurance Commission and GESB. I think that figure would be quite surprising, and it is important to make that information available to the public. It is not acceptable for this government to go into deficit. To do so would be to borrow funds from our children's future to meet the needs of today, and that is neither fair, nor equitable nor conscionable, and it is the very opposite of sustainability.

The Treasurer has made much of his so-called inheritance. Interestingly, he refers to the previous budget, but things happened after that budget was brought down up until the election. The incoming government's inheritance is not the set of figures in the previous budget, but the set of figures in the *Pre-election Financial Projections Statement*. If members examine that statement, they will see the following forecast surpluses: \$1.93 billion in 2008-09; \$2.116 billion in 2009-10; \$1.73 billion in 2010-11; and, \$995 billion in 2011-12. This Treasurer comes in here and tells the people that the previous government was forecasting an erosion of the surplus—virtually a disappearance of the surplus. The *Pre-election Financial Projections Statement* shows that the surplus forecast for 2011-12, which is the lowest surplus forecast, is almost \$1 billion. This guy just does not have any credibility. He describes big surpluses as obscene when he is in opposition and then when in government he tries to pretend that a surplus of nearly \$1 billion is a surplus that is virtually evaporating. It is not a credible response.

I will now examine some of the premises on which the surplus forecast was built and on which the Treasurer needs to deliver. For example, the previous Premier, the member for Willagee, negotiated the end of concessional iron ore royalties under state agreement acts for new projects. That is worth \$539 million over the forward estimates. Before that can be incorporated in the estimates figures, the government needs to conclude the negotiations, formally sign the agreements with the companies and bring the bill to the house. We have neither seen that bill nor had an indication from the government that it is pursuing a matter that, on the evidence of the *Pre-election Financial Projections Statement*, is worth \$539 million over four years. The Treasurer must effectively and efficiently deliver the three per cent efficiency dividend. He goes on and on about expense growth and the alleged expense growth that he inherited. If it is so easy to deal with expense growth and if it were such a failing of the previous government, it should be easy for the Treasurer to implement the three per cent efficiency dividend.

I want to clarify what is the government's real inheritance. The Labor Party is not responsible for anything other than the in-built expense growth in the forward estimates: namely, four per cent in 2009-10; 3.9 per cent in 2010-11; and 4.8 per cent in 2011-12. That is the expense growth built into the forward estimates in the

Pre-election Financial Projections Statement. The Treasurer and the government are responsible for any expense growth beyond those figures. The only thing they have inherited is a forecast of four per cent expense growth in 2009-10; 3.9 per cent expense growth in 2010-11; and 4.8 per cent expense growth in 2011-12. The member for Riverton calls it a fiction. These forecasts are under the signature of the Under Treasurer. It was a document produced independently by the Under Treasurer for the information of the electorate. Therefore, we will hold the government accountable for every single percentage point above that four per cent, 3.9 per cent and 4.8 per cent that is forecast in the forward estimates, as per the *Pre-election Financial Projections Statement.* The government has to take responsibility for any expense growth beyond that.

Already we are seeing huge risks to the budget on the expense side. There are two big risks. One is the risk posed by the Leader of the Liberal Party; the other is the risk posed by the Leader of the National Party. Let us look at what the Leader of the Liberal Party, the Premier, does. He wants to spend \$300 million of taxpayers' money on Oakajee port, when the private sector is prepared to build it without any taxpayer support at all. He announced—I hope after some consultation with the Treasurer—\$120 million for the Esperance port. He has boasted about a wages settlement with teachers, which is good for teachers but which will pose immense precedent difficulties for the government as it seeks to deal with police officers. Is the teachers' wages settlement going to be the rule that will apply to police officers, to nurses and to public servants? If it will not be the rule, maybe the rule should be that which the government has allowed to occur in the Water Corporation. Will the Water Corporation wage increases, which I understand went as high as 30 per cent, be the standard for police officers, for nurses and for public servants? It could be that the rule will be the rule that was applied to bus drivers. This was not given very much attention. There was a \$45 million settlement of bus drivers' wages, and that equates to an 11 to 12 per cent per annum adjustment for three years for bus drivers. Is that going to be the rule that applies to wages for police officers, wages for nurses, wages for public servants, wages for doctors and wages for hospital administrators? On the one hand, the Treasurer is misleading the public about expense growth that he has inherited and, on the other hand, the Premier and the Minister for Regional Development are out there, beating up expectations and building up expense growth that the Treasurer tries to pin on the previous government—but fails to do, in my view.

The global financial crisis will be the great alibi, the great excuse, of this government. For everything that it does not deliver and for every promise that it is exposed as having broken, it will say, "Global financial crisis; global financial crisis; global financial crisis." That is what the government believes is its rolled-gold excuse for failing to deliver to the people of Western Australia. Already, the government has complained about an alleged decline in property taxes. If the government is worried about a decline in property tax revenue, why, in one of its first pieces of legislation, did it cut property tax revenue? It cannot have it both ways. It cannot complain about a decline and then come into this place and say that the rates that people might complain about are the responsibility of the previous government. The government has now amended the land tax legislation; it has to take responsibility for the rates. The government could have, if it had wanted to, if it really believed land tax was too high, brought in the bill and cut them. Instead, it has signed up to a 30 per cent increase in land tax revenue this year and a 10 per cent increase in land tax revenue for each of the forward estimates. The government's land tax rates are based on Treasury forecasts of a 30 per cent, 10 per cent, 10 per cent and 10 per cent increase in land tax revenue. That is what the government has signed up to do and that is certainly what we were told when we were briefed. Although I would like to say plenty more about that, I will certainly say that the Treasurer was absolutely wrong on the question of household fees and charges and the reference rate of inflation. Anyone who refers to the *Hansard* or the media clippings of the time will see that the Treasurer has once again not told the truth to the public of Western Australia. However, I will leave that aside because I want to say this: we will not accept a deficit in the state budget; we will take that as evidence of gross incompetence on the other side if that is what the government delivers. There is no excuse for robbing from our children to pay for the operating expenses to deliver current services.

MR B.S. WYATT (Victoria Park) [3.05 pm]: I, too, rise to speak to this matter of public interest; namely —

That the house condemns the Barnett government for its failures —

Mr C.J. Barnett: You don't mean it.

Mr B.S. WYATT: Come on, Premier, at least let me finish the first sentence. It states —

That the house condemns the Barnett government for its failures, in particular its admission that the state budget may go into deficit.

I rise to support the comments of the Leader of the Opposition and I will start my short contribution this afternoon by quoting the now Treasurer. I like to do that; every now and then he comes up with a good quote. This is a quote I threw at him in question time the other day. On 16 May 2006 the, I assume, then shadow Treasurer said —

... when the day comes that revenue growth starts to slow, and the government must still pump \$1.5 billion to \$2 billion into recurrent expenditure, a gap will very quickly arise, and there will only be

three choices for the government—running a deficit, which no-one would rationally suggest, increasing taxes or making draconian cuts in government expenditure.

It is clear that the Treasurer has identified expenditure. He has been talking about expenditure for the better part of certainly my time in this place—almost three years. The Leader of the Opposition has identified that, if it is that easy, the Treasurer has no excuse but to make the three per cent efficiency dividend, have his economic audit committee define the avenues by which to make cuts, and continue with his rolling expenditure efficiency reviews—his three rounds. He has no excuse to not make those three rounds of efficiency gains that he sold to us all with great fanfare.

Nobody denies that the global financial crisis is having a dramatic economic impact around the world and in Australia and Western Australia. However, that is not an excuse to throw our hands in the air and give up any form of disciplined financial management and say that, because of the global financial crisis, everything said in the past no longer applies. The comments by the then shadow Treasurer mean exactly what he said; namely, that revenue growth will slow. There is no doubt about that. When revenue growth slows, we find ourselves, as all state governments find themselves, in a position in which they must cut expenditure. There is no doubt about that; we must balance the budget.

I will come to the Premier's comments on debt shortly. However, there has been much commentary and some interjections across the chamber today regarding the federal government. The Leader of the Opposition has already addressed this issue but it is worth noting for the record that, at a state level, in 2007-08 the state controlled 33 per cent of its own revenue base—that is, its own taxes. The current budget anticipates again 33 per cent of our revenue base going forward, but obviously there will be small fluctuations to that. That means that we control only a third of the government's revenue source, which is earned mainly through payroll and property tax. This means—I have been banging on about this to the media—that we do not have the large revenue base to go in and out of budget surpluses and deficits that the commonwealth government enjoys. The Leader of the Opposition has already indicated that when we talk about deficits and surpluses they mean different things at a commonwealth level from those at a state level. When the Premier says that we are going into deficit, he means that we will have to borrow to pay for the pens, papers and wages. When I put that to the Treasurer on Tuesday, he did not deny that was what would happen in the event the budget went into deficit. In measuring the commonwealth's deficit or surplus position, its budget includes capital expenditure, which the Leader of the National Party no doubt knows includes things such as roads.

I know that the Leader of the Opposition referred to this, but it is worth noting again the Queensland position. I thank the Treasurer for, in conversation around the place, bringing to my attention what the Queensland government has been doing. It recently announced that its expected 2008-09 budget surplus of \$809 million looks as though it is going into what it calls a skinny deficit. Interestingly, if members go online and look at the Queensland state budget for 2008-09, it too has a very different way of measuring budget deficits and surpluses. Effectively, it has two measures—the net operating position and the underlying operating result. The underlying operating result is what we can compare with this state's position when we talk about deficits and surpluses.

The Leader of the Opposition has already identified that the equivalent of this state's Government Employees Superannuation Board at the Queensland level is included in that government's net operation position. Of course, the rapid decline in the share market will have an impact on the surplus or deficit position.

The Queensland government has said that its net operating surplus for 2008-09 of \$809 million is now projected to go into deficit. It is worth noting what its net operating surplus was for the last financial year; it was a deficit of \$995 million—nearly \$1 billion. The Queensland government was expecting, when it incorporated its equivalent of GESB, QSuper, into its budgetary position, a turnaround of nearly \$2 billion, which, I dare say, at the time was bold at the very least. However, the underlying operating result in Queensland for 2007-08—that is, the position we can compare with Western Australia—was a surplus of \$272 million. We left this government with a surplus of \$2.6 billion and the latest quarterly report that came down from Treasury looked as though it was still on track as it was just shy of an operating budget surplus of \$1.9 billion. We left the government in a very strong financial position to respond to the stresses. I accept that there are stresses and that the Treasurer will find it very difficult to manage the next four years as he puts together his budget going forward, taking into account, as the Leader of the Opposition said, the growth in expenditure. It is not easy.

What happens when the state goes into deficit is that it is forced to borrow. I refer members to page 36 of the *Economic and Fiscal Outlook* for 2008-09. It states —

Were the Government to plan to deliver the same Capital Works Program —

Which, obviously, this government has abandoned —

with significantly lower surplus projections, the net debt to revenue ratio would be significantly higher.

For example, if the general government operating surplus was around \$200 million per year in 2008-09 and beyond, net debt would be around \$15.5 billion by 30 June 2012, and the net debt to revenue ratio

would rapidly rise to around 57.4%, well above the financial target limit. This illustrates the importance of operating surpluses in containing debt to manageable levels.

I inform the government backbenchers that that means that the surpluses are paying for the things they want in their electorates. That is where the surplus was going. Debt was reduced and kept at a record low—\$900 million less than when Geoff Gallop was elected in 2001. The budget figures identify that that equates to \$250 million a year in interest savings. This is the benefit of low debt.

I know that the Premier, when he was Leader of the Opposition in the first term that the Labor government was in office, in almost every single speech railed against the then government about the debt levels and the evils of debt. I refer members to the following question that he posed to the then Treasurer on 6 May 2003 —

... will the Treasurer undertake to reverse this trend —

This is the trend he was alleging of increased debt —

so that the servicing of state debt does not continue to burden this generation and future generations of Western Australians?

This is where we are at when we talk about deficits in Western Australia. We are not talking about what the commonwealth talks about—we are not talking about a large revenue base that we can control to a large extent; we are talking about a state government with limited financial capacity beyond a third of its revenue base to raise its own revenue. No doubt, the Premier and the Treasurer will not be listening to me. This is not something I have made up as I have gone along. A number of economic commentators have addressed this issue. In my speech on the Address-in-Reply debate, I referred to an article written by Imre Salusinszky in *The Weekend Australian* of 8 November 2008. He looked at this issue and identified that the states will have to wear the pointy end of the current economic crisis. His article states —

The limited fiscal wriggle room enjoyed by the states is another way of saying our federal system misaligns revenue-raising capacities and spending responsibilities: the states raise 16 per cent of national taxes but are responsible for 40 per cent of public spending. The term the pointy heads use for this is vertical fiscal imbalance.

This is something the states have known for decades. We know that we operate in a fiscal confine that the commonwealth government does not have, which is why it is important that we, at a state level, maintain a budget surplus or, at the very least, a balanced budget. The reason for that is that the states find it very difficult to remove themselves from the red when they find themselves in it.

I will also quote the comments of Saul Eslake, as reported in an article in *The Australian Financial Review* of 28 November 2008. He was responding to John Brumby, the Premier of Victoria, who stood by his commitment that he would maintain the Victorian budget in surplus at one per cent of government revenue. I was in Victoria a couple of weeks ago, and the public servants there are not terribly happy about that; there is a lot of angst. There is a lot of pressure on this commitment, but the Premier of Victoria has made that commitment and he knows that it will be hard to deliver, particularly in an economy which is largely manufacturing based and which has been decimated by the low Australian dollar. There is an interesting reference in this article to the states and deficits. It reads —

Australia and New Zealand Banking Group's chief economist Saul Eslake, who supports the running of a federal budget deficit in difficult economic conditions, backed Mr Brumby's stance on the maintenance of state operating budget surpluses.

"It is not their job to run counter-cyclical fiscal policy," he said.

Mr Eslake said states did not have the same stimulatory capacity due to their smaller footprint in the economy. The narrow and inflexible nature of state revenue streams also meant it was more difficult for them to return to the black once they fell into deficit.

One thing that this government has managed to do in its first 100 days is to abandon the idea that disciplined fiscal management will result in surpluses in the future, as committed to by the Premier less than a month ago. We certainly got the idea that the Premier does not have confidence in the Treasurer's three rounds of expenditure cuts and three per cent efficiency dividend. He clearly has no confidence that that will keep our budget in surplus. This government is showing a great propensity to spend money, particularly on recurrent expenditure. The rhetoric is not being matched with reality. If we do not apply to this government the tough economic parameters that the previous government applied to itself, we will find that our children will have to pay off the debt incurred by this government. I dare say that household fees and charges will go up in the very near future to pay for what will come from this government.

MR T.R. BUSWELL (Vasse — Treasurer) [3.18 pm]: Firstly, I will make a couple of comments on the broader issue, and, secondly, I will deal with some of the specific issues that have been raised. It may well be the case, as the Premier and I have indicated publicly, that the state's budget will slip into deficit, albeit on a temporary basis, at some stage over the four years of the forward estimates.

Mr E.S. Ripper: What year are you worried about it?

Mr T.R. BUSWELL: Let me put it this way: I understand that the federal government is worried about 2009-10 and 2010-11. Our concerns are with the back end of the forward estimates, which, in a way, is reflective of the way the Western Australian economy often follows with a lag, but we can talk about that later. That is the case, and I am glad that the member for Victoria Park has acknowledged that the changes that are occurring around the world have impacted on the Western Australian economy. They have particularly impacted on our revenue base. The informal advice we received from other states and the commonwealth when these issues were discussed last week in Canberra was that the main pressure on surpluses came from revenue erosion. It is a common issue across all state jurisdictions and it also confronts the commonwealth government. The surplus forecast by the Leader of the Opposition in the 2008-09 budget was —

Mr E.S. Ripper: Why don't you go to the pre-election financial statement?

Mr T.R. BUSWELL: The pre-election financial statement forecast was approximately \$1.9 billion. When the Leader of the Opposition uses that measure, he always neglects to explain that embedded in the pre-election financial statement was \$1.5 billion of expense cuts, which both political parties spent during the election campaign. The Leader of the Opposition cannot use that as an accurate picture of the financial legacy that his government left the people of Western Australia. It is my view —

Mr E.S. Ripper: So what you're saying is that your election commitments should somehow not be counted?

Mr T.R. BUSWELL: I am not saying that at all. I am saying that the Leader of the Opposition should use the measure that he used when he handed down his budget of 2008-09. The latest information I have indicates that the estimated budget for this year, whether it is \$1.93 billion or \$1.8 billion, is under significant pressure. I expect that it will be a lot lower than that. I suspect —

Mr E.S. Ripper: You have to take responsibility for your election promises.

Mr T.R. BUSWELL: We will take responsibility. My expectation is that it will be south of \$1.5 billion. We face challenges. They are challenges that all states are facing, but we will not hide from those challenges. We will produce the midyear review this year. The Department of Treasury and Finance has told me that the earliest it can produce the midyear review is 18 December. We will release the review on that day. We will not hide, as some governments may have hidden in the past, by bringing out the midyear review the day after Boxing Day, which is what happened last year. We will not do that while everyone is on holidays, lounging around in summer mode; we will do it as early as is practically possible because we want the public of Western Australia to understand the picture that confronts us. We have to work hard on delivering remedies, and those remedies will be encapsulated in the budget that we hand down next year. Those are the facts, and I can deal only with the facts. The member for Victoria Park is right; it is challenging.

What have we done to help deliver remedies? We have set up the economic audit committee. The economic audit committee will provide a report to me early in the new year that will assist us in framing the budget. I have also asked the committee to look into some wider ranging issues associated with government finance and government service delivery.

Mr E.S. Ripper: Such as?

Mr T.R. BUSWELL: The Leader of the Opposition will see when the report is handed down. The committee will be doing the hard work that his government shied away from for eight years. For eight years the previous government surfed on massive surpluses and let inefficiencies multiply throughout the public sector in Western Australia. We will try to fix that, but it will not be easy. We have also established the capital works audit. Again, we have not hidden from the fact that we are looking at every capital project on the government's books with a value of greater than \$20 billion —

Mr E.S. Ripper: How much will you cut out of the program? What is your target?

Mr T.R. BUSWELL: We will let the Leader of the Opposition know. Come next year, the opposition will see. We have embarked on some difficult programs —

Mr F.M. Logan: Does that audit also include utilities such as electricity?

Mr T.R. BUSWELL: It is right across government, because at the end of the day, every cent spent across government impacts on our position in some way or another. I want to spend some time looking at the financial position —

Mr E.S. Ripper: You won't rule out reducing investment in the electricity network? You won't rule that out?

Mr T.R. BUSWELL: We are not ruling anything in; we are not ruling anything out. Any capital works project with a value of more than \$20 billion for which a contract has not been —

Mr E.S. Ripper interjected.

Mr T.R. BUSWELL: I think the word "any" encapsulates that. I know the Leader of the Opposition becomes fixated on words, but the word "any" is reasonably clear, in my view. Any such capital works projects will be reviewed.

Mr T.G. Stephens: Does that include regional projects?

Mr T.R. BUSWELL: It is across Western Australia. That is where we are at. I want to explain what the previous government left us with, because it is very important that we place it on the public record. Members on this side of the house understand it clearly. It left us with a situation, encapsulated in the May budget, whereby in 2011-12 the net operating balance will be \$203 million. That was the surplus.

Mr E.S. Ripper: We left you with a pre-election financial statement —

Mr T.R. BUSWELL: That is a fallacy. I will apply something to that \$203 million. Let us assume *ceteris paribus* that the federal government's change to the goods and services tax revenues, which are encapsulated in its midyear review, had impacted. I think the figure is around \$600 million to \$700 million. If that change had occurred *ceteris paribus*—in other words, with nothing else changing—in four years the previous government would have been in deficit. Those are the facts. The previous government left us on a knife edge. That \$203 million, in the context of the state's budget, is a knife edge.

Mr J.E. McGrath: On the edge of a precipice.

Mr T.R. BUSWELL: I thank the member for South Perth. That is the challenge. Had the federal government made that announcement, the former government would have been in deficit. The point I am trying to make is that we must deal with certain realities, one of which is driven by the global financial crisis and one of which is driven by the state of the state's finances that the former government left us with.

I want to touch on a couple of other issues and to draw out some of the points that members opposite raised in the debate. The first was the Leader of the Opposition's assertion that inbuilt in the budget were forward estimate amounts for increased expenditure growth. When we examine his performance in government we must look at what he promised as being embedded into the forward estimates versus what he delivered. We find when we look back over each year a thing called a large gap between the expenditure growth he promised and what actually happened.

Mr E.S. Ripper: It is due to decisions.

Mr T.R. BUSWELL: It was due to sloppy management.

Mr E.S. Ripper: You will have to make decisions.

Mr T.R. BUSWELL: Yes, we will have to make decisions, because we will have to fix it up. The former government left us with this recurrent spending beast that we must feed, and it is a great challenge for us. Let me give some examples. In 2007-08, last year, the former government forecast expense growth to be 4.6 per cent but it delivered 10.3 per cent. In 2005-06 it forecast expenditure growth at 4.1 per cent but it delivered seven per cent. In 2004-05 it forecast expenditure growth at 3.5 per cent but it delivered nine per cent. In 2002-03 it forecast expenditure growth at 1.8 per cent but it delivered 6.3 per cent. Therein lies one of the fundamental issues. The former government never delivered on the embedded commitments contained in the forward estimates. That is an issue that we now have to deal with, and we will.

Another issue relates to wages. The Premier raised this matter before. There is probably a degree of jealousy perhaps, especially among former members of the State School Teachers' Union who sit opposite, whoever they may be, because in a very short period, with no industrial action and in a very cooperative way, this government was able to resolve the teachers' dispute and some other outstanding wages disputes. One of the fundamental issues of the former government's management of the public sector wages bill was its inability to control the rate of growth of full-time equivalent public service employees. The big challenge was that for two years no-one in government could tell us how many people worked in the public service in Western Australia. That is how well it managed the economy! We asked it how many people were employed in the public service. It could not tell us. Do members know what the excuse was? It was that it was working on a new computer system. To make the point, last year it employed 5 000 additional FTE public sector workers, which is 100 extra employees a week, or 20 extra employees every weekday. Where on earth are they? Bring them down. No-one can tell us where they are. Yes, there have been some increases in certain areas of front-line delivery, but not 20 a day, not by a long shot. That is where our focus will be. That is one of the challenges we face. We will deliver on that.

I want to conclude because some of my colleagues want to participate in the debate. The member for Victoria Park said that the former government had tough financial management regimes and targets. I asked him what they were and he could not tell me. I will share a couple with members and we will see how tough they are. The best place to find out what its targets were is the document the Labor Party produced at the 2001 election, which outlined its tough financial management targets. There is one in big print but I still get confused by it. It states —

Maintain or increase our taxation competitiveness as measured by taxation revenue per capita.

That was the former government's tough financial target. What did the former government do? It blew it to the extent that Western Australia went from being the third lowest taxing state in Australia to the highest taxing state in Australia. What did it do? Did it cut taxes? No, it changed the measure. That was the opposition's approach in government.

Mr E.S. Ripper: It went back to Richard Court when he was in government.

Mr T.R. BUSWELL: I do not care. That was the measure set by the former government, and it failed to deliver. It was one of its so-called tough financial targets. What was the former government's other tough financial target? It was that spending growth would not exceed a real per capita cap in any year. For new members, that means we add up the rate of inflation and the rate of population growth to arrive at the target. I have looked back, but I cannot find a time when the former government ever met that target. Members of the opposition talk about tough financial management. It was a complete and absolute joke. One of the reasons we are in this position is the inappropriate management of a once-in-a-century fiscal opportunity in this state. There are challenges, and we will deal with them.

DR M.D. NAHAN (Riverton) [3.32 pm]: We face the greatest global financial crisis in a generation. It is a reality. Members opposite might not realise it but the people in my electorate do. They say, "Thank God the Liberals are back in power." They know that we can manage. We face a serious crisis.

Several members interjected.

Dr M.D. NAHAN: They are not delusional. My constituents know that we face a serious crisis and that the Liberals can manage it. Putting that aside —

Mr D.A. Templeman interjected.

The DEPUTY SPEAKER: Member for Mandurah, let the member for Riverton speak please.

Dr M.D. NAHAN: Putting that aside, even if we do not face a global financial crisis, we face a local financial crisis for the reasons the Treasurer outlined. Our revenue had been growing extremely rapidly for seven or eight years, based on a bubble and expenditure growth —

Mr M.P. Whitely interjected.

Dr M.D. NAHAN: I ask the member to please excuse me.

The DEPUTY SPEAKER: Member for Bassendean, would you let the member finish his speech, and then you can have a chance if you need.

Dr M.D. NAHAN: Even without a global financial crisis, we were going to face a fiscal crisis. As the Treasurer outlined, expenditure had been growing at about 10 per cent a year in recent years, all in non-core areas. Members of the opposition talk about teachers and additional police. They put some on when they were in government, but most of the growth was in non-core areas. The former government's expenditure policy was like a seeding machine; it put the money in and spread it everywhere. That is what happened. The new Liberal-National government has to address this issue. The real problem lies not necessarily just on the expenditure side; it lies in how we got there. The former government basically went out and created, lived off and extracted revenue from a housing bubble. The former government jacked up taxes on and restricted the supply of land, forced up land prices and extracted \$2 billion a year of additional revenue from the housing market. That is the former government's surplus. It is a claimed surplus. Even without the global financial crisis that bubble was going to burst, and that is what is happening now. Look at the data. What are the forces driving down the Western Australian economy?

Mr D.A. Templeman: You in government; that's what it is.

Dr M.D. NAHAN: It is the housing sector. The former government created a bubble economy that was going to burst, no matter what happened internationally. Revenue was collapsing and that is what we are going to have to live with. It is a really difficult issue.

Mr P. Papalia: Did we create it on the east coast as well at the same time?

Dr M.D. NAHAN: No. No state had a bubble like this state. Nowhere in history has any state had a bubble like this state. Members opposite know. They have benefited from it. They have sold houses. What happened to their house prices?

Several members interjected.

The DEPUTY SPEAKER: Order!

Dr M.D. NAHAN: The former government went out during the largest boom in this state's history and it augmented the boom by restricting land prices, land values shot up, and the government creamed it off with tax revenue. It was going to burst. Bubbles do burst. That is what happened and that is what we have.

We do face other difficulties here. The main difficulty we face is, first, coming to grips with what our fiscal outlook is. As the former Treasurer pointed out, in the past seven years he would look at the budget papers and say, "Oh, tax revenue is going to go up by 10 per cent", or, "Expenditure is going to go up by three per cent." The reality has been significantly different in every year. In part Treasuries around Australia had difficulty forecasting revenue growth. I am not blaming them. State and federal issues have always been the same. Therefore, we have commissioned an audit, like good governments do, to come to grips with the beast that we are dealing with and to show where the expenditure growths are, what the outlook is going to be, where the waste is, and how we can reorientate. That is what good governments do. They bring in excellent people from outside to make the assessments and they get the facts. That is what we are doing.

Mr A.P. O'Gorman: You mean Liberal hacks?

Dr M.D. NAHAN: John Langoulant is not a Liberal hack; that is abusive.

Mr A.P. O'Gorman: Abusive?

Dr M.D. NAHAN: Yes. It is abusive to say that the former Under Treasurer, John Langoulant, is a Liberal hack.

Mr R.F. Johnson: Yes; take that back, member for Joondalup. Shame on you. You should be ashamed of yourself.

Several members interjected.

Dr M.D. NAHAN: Is Peter Shergold a Liberal hack?

I do not think anybody in their right mind would accuse the Liberal Party —

Mr D.A. Templeman interjected.

Dr M.D. NAHAN: I do not think anybody in their right mind could credibly argue —

Mr M.P. Whitely interjected.

The DEPUTY SPEAKER: Members, let the member for Riverton speak. Any member who wants to speak afterwards can speak then.

Dr M.D. NAHAN: I do not think that anybody could credibly argue that the Liberals are not committed, where possible, to achieving a budget surplus in their current accounts. We have always been the government of fiscal responsibility, and we will be. The challenges are fundamental.

Mr M.P. Whitely interjected.

The DEPUTY SPEAKER: If the member for Bassendean interjects again, I will call him.

Dr M.D. NAHAN: We are the government of real fiscal responsibility, and will be within the terms that we can —

Several members interjected.

Dr M.D. NAHAN: We also have the person in the Treasurer to achieve that.

MR J.M. FRANCIS (Jandakot) [3.38 pm]: As someone with a bit of commonsense, I obviously need to give the former Treasurer a basic lecture in economics. I have a newflash for him: I know he hates *The West Australian* but he cannot walk away from it because the truth hurts.

Several members interjected.

Mr J.M. FRANCIS: I know that the former Treasurer hates *The West* with a passion and he refuses to read it; however, I will just point out an article in thewest.com.au of 1 December headed "Deficit is not a dirty word in these times". The article starts off by stating the obvious, which the former Treasurer obviously has not read —

Two-thirds of developed nations are in the red as they pump cash into their economies

Ms R. Saffioti: What are you guys doing?

Mr J.M. FRANCIS: I will get to that. The article then states, a little further down —

Below, repeated 50 times, was the line: "The Australian economy is on the edge of recession."

Members opposite should listen to this very carefully, because the article then goes on to talk about the parallels between the pressures that we are facing in the Western Australian economy and the pressures that the cohorts of members opposite in Canberra are facing. The article states —

When Treasurer Wayne Swan released the mid-year Budget update a little over three weeks ago, he predicted —

Several members interjected.

Mr J.M. FRANCIS: Members opposite do not like this! Wayne Swan is from their party! It continues —

a \$5.4 billion surplus this financial year and a \$3.6 billion surplus in 2009-10. But in using the deficit word for the first time on November 26, Kevin Rudd pointed to the economic storm clouds that swept across the globe since Mr Swan's update.

“If Australian economic growth slows further because of a further deepening of the global financial crisis, then it follows that the Australian Government revenues will reduce further,” the Prime Minister said.

“Under those circumstances, it would be responsible to draw further from the surplus and, if necessary, to use a temporary deficit to begin investing in our future infrastructure needs ...

Mr M.P. Whitely: Is there a point to all this?

Mr J.M. FRANCIS: Absolutely there is a point, because there are very serious parallels. This afternoon, all members opposite have done is lecture us about what we have not done in the past 73 days—and they are all wrong about that!

When the debate was adjourned last night, I had been talking about 2005. I now want to go back to that 2005 election campaign and to some of the promises that the Labor Party made but failed to deliver. The first promise concerns an issue that is close to my heart, because it is actually in my electorate. This issue should be close to the heart of every person who lives south of the river. During the 2005 election campaign, the Labor Party promised to complete in 2010, stage 1—600 beds—of the new major tertiary hospital at Murdoch. It promised that the new hospital stage 1 would cost \$420 million, and that construction of the new hospital would commence in 2007.

Mr M.P. Whitely interjected.

The DEPUTY SPEAKER: Order! Member for Bassendean, I call you once.

Mr J.M. FRANCIS: This is the most re-announced public project in the history of our state. All they did was park a bulldozer on a block of land, and they say construction is under way! The actual cost for completion in 2013 was \$1.76 billion. My maths might not be too flash, but \$1.76 billion, less \$420 million, is well over \$1 billion. That is how much it has blown out by. That is broken promise number one.

Another promise that the Labor Party made south of the river was that there would be no heavy vehicles on Leach Highway. In 2005, the Labor government promised to legislate—a bit like uranium mining before the election, but that is okay—that in 2006 there would be no heavy trucks on Leach Highway and South Street. The Labor government said it would do that by 2006, but it did not do it. That is broken promise number two. Broken promise number three is taxation competitiveness. In 2001, Labor promised to maintain or increase this state's tax competitiveness as measured by taxation revenue per capita. According to the independent Chamber of Commerce and Industry of Western Australia —

Several members interjected.

Mr J.M. FRANCIS: Members can challenge it about that! Go for it! The Chamber of Commerce and Industry has said that using the government's own measure of taxation revenue per capita, Western Australia has now become the highest taxing state in this country.

Broken promise number four is financial discipline. In 2001, Labor promised to overhaul the Treasurer's Advance Account and to halve the annual allocation from \$300 million to \$150 million. What has the Labor Party done with that promise? That is a great one! Members opposite should not make promises that they cannot keep! The Labor Party said when it made that promise that the financial discipline that will be required of ministers will significantly reduce the need for urgent funding injections. The Labor Party failed dismally on that promise. The annual allocation has not been significantly reduced. When we inherited government less than three months ago, it had blown out to \$750 million. The Labor Party did not halve it! It blew it out to \$750 million! I go now to another newspaper article. This one is dated 13 March 2008. It is headed “Ripper needs \$750 million for budget blow-out”. I can keep going with quotes from the Leader of the Opposition, but I will move on to broken promise number five: housing strategy in Western Australia. This is a good one, too. In 2001, Labor promised to develop a state housing strategy in the next term of government. I do not know how long a term of government was back then, but I think it was somewhat less than four years.

Mr A.P. Jacob: Three and a half years.

Mr J.M. FRANCIS: Three and a half years they go for these days.

In April 2001, after winning government—they must have done this in those first 72 days—the then housing minister said that it would take two years to develop a strategy and he guaranteed that there would be no shortage of residential land in Western Australia. That was 2001; members opposite are kidding me! It is a river of deceit through the opposition benches. It just went on for seven and a half years. In 2005 the Labor government promised to finalise and implement the state housing strategy over the next four years. We only had three and a half years because the government went to the polls early. Seven and a half years later —

Mr D.A. Templeman interjected.

Mr J.M. FRANCIS: I know the member is leaving. He will run for the position of mayor of Mandurah in 12 months' time. Why not have a by-election now and take the rest of them?

Seven years, and still no housing strategy by the time we won government! That was number five. Number six is the Perth-Mandurah railway. In 2001 —

Mr D.A. Templeman interjected.

Mr J.M. FRANCIS: The member had the chance to speak.

The DEPUTY SPEAKER: Order! The member for Mandurah!

Mr J.M. FRANCIS: In 2001, Labor promised to have the Perth-Mandurah railway completed by the end of 2005. And the opposition wants to have a go at us for not meeting a deadline! What happened in 2005? In 2005, we were told it would be ready by the end of 2006. In 2006, the Labor government finally got it right—the end of 2007. The railway opened on 23 December last year. How many years overdue was it? It was a broken promise. It was a deceitful promise the Labor government could never meet.

Several members interjected.

The DEPUTY SPEAKER: Member for Jandakot, we are not getting anywhere. There is a constant slanging match going on. Will the member for Jandakot please continue, and would the member for Mandurah desist from interjecting. He has had his say.

Mr J.M. FRANCIS: Promise number seven was the Albany Regional Hospital. The member for Albany, my Collingwood-supporting buddy, is not here to defend himself, but this is great. In 2005, the Labor government promised to fast-track the hospital's redevelopment. The hospital, after redevelopment, would offer the most up-to-date facilities and would be in service by 2007. The Albany Regional Hospital upgrade was not fast-tracked, and it is up to the present government to initiate the fast-tracking of that project. This is deceit—deceit like I have never imagined in public office—from this side of the house for the past seven and a half years.

Withdrawal of Remark

Mr M. McGOWAN: In question time, the Speaker ruled that use of the term “deceit” was unparliamentary. I have now heard the member use it on four separate occasions. I ask him to withdraw it.

Mr J.M. FRANCIS: I withdraw, and insert the word “dishonest”.

Several members interjected.

The DEPUTY SPEAKER: Member for Jandakot, I understand that you withdrew those comments. Is that correct?

Mr J.M. FRANCIS: That is correct.

The DEPUTY SPEAKER: Okay, let us carry on.

Mr M. McGOWAN: It is understood under the standing orders that when a member withdraws a remark, he does so unconditionally. The member for Jandakot withdrew, and then said, “I insert the word dishonest.” That is not an unconditional withdrawal. He does not understand these things because he is new here. I ask him to withdraw unconditionally.

Mr J.M. FRANCIS: I withdraw, unconditionally.

Debate Resumed

Mr J.M. FRANCIS: I refer to the train station at Joondalup. In 2001, Labor promised to build a special events train station at the Arena in Joondalup. Can we see it? It is imaginary. In 2006, the government stated that a station would be delivered within the next two years. Nothing happened. It is invisible. What about the railway

station at Stratton? In 2001 the Labor government promised an extension of the railway line—I am up to number nine; I have still got lots to go—from Bellevue to Stratton by 2008. There are still no train stations at Bellevue or Stratton. What about the promise to electrify the railway line to Byford? That was promised in 2001. In 2007 the member for Armadale, the then Minister for Planning and Infrastructure, said that extending the electrification to Byford was completely unrealistic within the next five years—she said that six years after she had promised she would do it.

I note the time, but I wish to point out the hypocrisy of the Leader of the Opposition in coming into this place and raising these issues. It is just alarming!

Amendment to Motion

Mr J.M. FRANCIS: I move —

To delete all words after “condemns” and insert —

the Leader of the Opposition and former Treasurer for misleading the people of Western Australia by his failure to disclose the true financial position of our state prior to the election, and for overseeing the over \$750 million blow-out in the Treasurer’s advance account from extra government spending.

MR M. McGOWAN (Rockingham) [3.50 pm]: I note that the Premier has not decided to speak on this motion. This motion quite clearly condemns the Barnett government, and his failure to speak on this matter speaks volumes, considering that the government has freely admitted today, and over the past week or so, that it is going to burden future generations of Western Australians with debt derived from the ordinary expenditure of government. That the Premier is unwilling, or too cowardly, to stand in this Parliament and address this incredibly important issue for the future of Western Australian speaks volumes.

I find it incredibly disturbing that on the seventy-third day of this government it has not delivered on commitments on a number of occasions, but at the same time it has admitted to the people of Western Australia that one thing it will do is send this state into deficit. That shows an incredible weakness and an incredible capacity to surrender on an incredibly important issue. The government’s policy on deficit is to put its hands up and surrender; not actually fight to retain the surplus or the state’s AAA credit rating. That surrender will burden my children with the debt of the state Liberal Party. It reminds me of the Republican Party of the United States of America: it talks big on issues of government spending, and it acts small. What it did last time it was in office and what it will do this time in office is blow the good work of the former government and the former Treasurer, in retaining —

Several members interjected.

Mr M. McGOWAN: It talks big and acts small on this very important issue.

There is no doubt that it is hard to retain the surplus, and governments have to work hard to do that and examine government expenditures, not make irresponsible commitments. All these things the former Labor government did when it was in office have provided the Liberal Party with a \$2.6 billion surplus in the current financial year. I note that when the now Treasurer sat on this side of the house he was always going on about how outrageous and how obscene the surplus was: I never actually thought that meant that he supported deficits. However, today and yesterday we have learnt that his objection to a surplus means he supports deficits in the expenditure of the state government. There are threats to the state’s AAA credit rating and financial position—they are the Premier, the Treasurer and the Minister for Regional Development. It appears that the way they will manage this issue is by changing the 47 per cent net debt-to-revenue ratio that the former government had in place to retain the AAA credit rating. When that happens, our interest payments will go up, and they will succeed in burdening my children—and everyone in this place’s children—with more debt that future generations will have to pay off, because they have already surrendered. They have already given in. They do not have the capacity, the work ethic or the ability to maintain a budget surplus. That is something future generations will regret.

Ruling by Deputy Speaker

The DEPUTY SPEAKER (Mr M.W. Sutherland): The member for Jandakot moved an amendment to the motion. I have decided that the amendment does not fall within the parameters of the original matter of public interest so I therefore disallow the amendment and rule that it is out of order. The question is that the original motion be agreed to.

Motion Resumed

Question put and a division taken with the following result —

Ayes (26)

Ms L.L. Baker	Mr F.M. Logan	Mr P. Papalia	Mr A.J. Waddell
Mr A.J. Carpenter	Ms A.J.G. MacTiernan	Mr J.R. Quigley	Mr P.B. Watson
Mr V.A. Catania	Mr J.A. McGinty	Ms M.M. Quirk	Mr M.P. Whitely
Mr R.H. Cook	Mr M. McGowan	Mr E.S. Ripper	Mr B.S. Wyatt
Ms J.M. Freeman	Mrs C.A. Martin	Mrs M.H. Roberts	Mr D.A. Templeman (<i>Teller</i>)
Mr W.J. Johnston	Mr M.P. Murray	Ms R. Saffioti	
Mr J.C. Kobelke	Mr A.P. O’Gorman	Mr T.G. Stephens	

Noes (27)

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

Pairs

Mr J.N. Hyde	Dr K.D. Hames
Mr C.J. Tallentire	Dr E. Constable

Question thus negatived.

IRON ORE PROCESSING (MINERALOGY PTY. LTD.) AGREEMENT AMENDMENT BILL 2008

Second Reading

Resumed from an earlier stage of the sitting.

MR C.J. BARNETT (Cottesloe — Minister for State Development) [4.00 pm]: Before the luncheon break, I thanked members opposite for their comments and responded to various points they had raised. I wish to add some comments to issues raised by the member for Pilbara. He raised two issues, and I will give him a copy of the advice I have.

To summarise, the first question he asked was local government rates. This variation bill removes the concession for the local government rates that were payable under clause 25 of the state agreement by simply deleting that clause. This is described in clause 4(31) of proposed schedule 2 of this act. The current state agreement provides for rates to apply only on the unimproved value of land. The variation agreement removes this rating. The document then goes through and adds some explanation. I will give that to the member for Pilbara.

The other issue that the member raised was the \$100 million for the prescribed private fund, which is referred to in the amendment bill. The variation bill that we are considering now inserts clause 5A into the state agreement, with subclause (9) detailing the state’s acknowledgement of the intention by Mineralogy to establish a prescribed private fund. This is described in clause 4 of schedule 1 of the bill. A mechanism for managing the fund is yet to be determined. However, it will be administered as a prescribed private fund in accordance with the Income Tax Assessment Act 1997. The Department of Industry and Resources has introduced Mineralogy Pty Ltd to the Western Australian Community Foundation, which administers philanthropic trusts across the state. Mineralogy has also consulted UBS bank, a Swiss-based organisation that administers these sorts of funds throughout the world. It is not yet known which of these organisations Mineralogy will use to administer the fund. My understanding is that the fund has both a medical research component, which is broadly based, as well as a local benefits component, which includes Indigenous benefits. I will pass that information to the member for Pilbara.

The Department of Industry and Resources and I will welcome any comment about the fund from local members, the member for Pilbara and particularly the member for North West, on how that fund might operate in practice. I think it is important that it be effectively managed. I am sure input or suggestions would be welcome. Otherwise, I thank members on both sides for their support of this legislation.

Question put and passed.

Bill read a second time.

Consideration in Detail

Clause 1: Short title —

Mr T.G. STEPHENS: During consideration of clause 1, I want to place on record some comments on the response from the Minister for State Development in reference to a couple of issues. Firstly, I am having difficulty understanding how the obligations for the prescribed private fund are secure for the government and

the community and what form the payment regime will take. When will that \$100 million land inside that fund? Will the money arrive upfront or will there be some regime under which we will secure those funds to be available in that way?

My second question about that fund is: what guarantee do the people of the Pilbara have that the money flowing into that fund will be available for projects of priority to the people of that region as opposed to wider community interests? I think the flow of funds as rates to the local authority for the life of the project is something less than about \$1 million—a dramatic contrast to the flow of benefits to the state. It seems to me that in those circumstances there is still an inadequate return of benefit to the region from the local government rates. This prescribed fund's obligations do not take into account, so far as I can see, the interests of the people of the Pilbara.

The third point I want to put on record is that recently, when we were in government, we considered the development proposals of this project's near neighbour, the Rio Tinto operations at Pannawonica. As the government was considering whether to grant approvals for the expansion of the operations around Pannawonica, Rio came forward with a rather major package of improvements to the township of Pannawonica that secured better prospects of a residential workforce around the town. This is a neighbouring competitor in a comparable location. The government imposed residential requirements on the company and the company has expanded. The member for Mandurah will understand the debate about the blind spiders around Mesa A. Members will recall that we were able to secure a commitment to not only expand the environmental protections available to the troglobitic spiders around that area, but also a much more at-risk species of critter; that is, a residentially based workforce. Through the Rio operation we secured a residential commitment in Pannawonica. What steps is the government taking to have this proponent increase the residential workforce associated with projects in not only the construction phase, but also the delivery phase?

While I am on the same point, I have another issue that I flagged. It concerns a project that I was not very familiar with; that is, the Australian Premium Iron project, a neighbouring project. In the briefing that was just very quickly given to me, I was told there is some disappointment on the part of these proponents who were unable to get access to the government before this agreement was put before Parliament for endorsement. These people do not appear to have had access to us when we were in government nor to the current government, yet this agreement as it will be ratified by Parliament would put a square block around Cape Preston that would not guarantee that proponents such as these would secure access to the deepwater channel. I ask whether the minister will undertake to secure access to government for this proponent so that it can put its concerns and considerations before we move to the next phase of proclaiming this bill.

Mr C.J. BARNETT: On the prescribed private fund—notionally \$100 million—the mechanism is that CITIC Pacific Mining, as it takes product from the project, basically will pay a royalty to Mineralogy, which is Clive Palmer's operation. A portion of that royalty is allocated to the fund. As production starts, money will flow into that fund. I am also advised that the fund will be used for the benefit of the local Indigenous population. I previously mentioned medical research and the like, but I have just been corrected. The medical research and medical effort is designated for the Pilbara region.

As to the accommodation of the workforce, although provision has been made for the construction of a town site of some form at the site, initially the operation will be fly in, fly out. I understand that there is some resistance in Karratha to seeing another town develop, albeit it will be almost a village. The difficulty with housing the workforce in Karratha is its awkward distance, some 80 kilometres, from the mine site. I certainly will be working with the department and the proponent to ensure that there can be some Karratha-based employees, and, if necessary, a village or small township attached to the project. I would want to see at least a significant proportion of locally based employees.

As to the member's final point about the Australian Premium Iron project, the initial advice that I have just been given is that the arrangement of the agreement act, and the designation of the rectangular shape over the seabed, would not stop its ships from sailing through the channel. That is not seen to be an impediment to the project. However, if the company concerned wishes to contact me or the department, we will check that information and reassure it about its position. The advice is that this measure will not impede the company's access to the deepwater channel.

Mr T.G. STEPHENS: I appreciate the Premier's response in relaying the department's advice. For the record, in reference to the Premier's last point, the company involved quickly sketched for me a map of the area around Cape Preston and the area covered by this agreement. The company is left with the impression that its rail line would effectively have to go up to the edge of the square box that is assigned to the interests covered by this agreement. It is also concerned that it will have to put a ship-loading facility on an adjacent area of land, and then have to find some way to get out to the deepwater channel in a very convoluted manner. It would be an expensive operation, involving complex and difficult technology, to go out alongside the box, and then for ships to gain access to the deepwater channel. I guess the company's concerns are about the need to dig an additional

channel, if that is technically possible, to get around to the adjacent country. I am concerned that, at least at some point, the company will need to have access to the ear of government—namely, the responsible minister and the Premier—in order to have its point of view heard by government before this agreement bill is proclaimed in law.

Although I do not need any specific comment, I would appreciate it if the Premier could throw any light on this next matter. I understand that CITIC Pacific's proposal includes a flow of \$400 million in a social benefits package. I have an attachment document, that, as a courtesy, I now pass to the Premier for his information. It is described as a \$400 million social benefits package, and CITIC Pacific's proposal seems to be quite large for this \$400 million. I wonder whether the Premier could indicate whether \$100 million will come out of the \$400 million in that package and go into the Mineralogy Pty Ltd \$100 million fund, or are these additional funds?

Mr C.J. BARNETT: The answer is no; that is additional funding. Therefore, it will not come out of that package. Going back to the point that the member raised about the access, that will ultimately depend on where the channel is constructed. However, I assure the member that I am happy to meet with the company—it can be done perhaps through the member or directly to me—in my office to reassure it about that. I believe that is a fair point. I would not want to see lines drawn on a map that force a prospective producer to have to sail ships the long way around when there is clear, safe access through that area.

Mr T.G. STEPHENS: I appreciate the Premier's offer. The company will have the opportunity of reading the Premier's comments and then dealing with the issue however it wishes. The company also approached the member for Kalgoorlie this afternoon, and it was the member who introduced me to the people from the company in the house. These agreements with companies operating in the Pilbara are, of course, of interest to not only the particular proponent, but also its competitors and others with an interest in trying to expand their operations. I noticed with interest that Australian Premium Iron's operation spills over a bit further into my electorate. I guess I sensibly focus on a company's operations when it is proposing to operate in not only the north west, but also the seat of Pilbara.

I have a final question while the Premier has his advisers present. I simply need a quick nod, yes, or no. By any chance, does any of the agreement that is the subject of this amendment bill that is before the house spill into the local government area of the Shire of Ashburton, or is it all exclusively within the domain of the Shire of Roebourne?

Mr C.J. Barnett: It is all in Roebourne.

Mr T.G. STEPHENS: I thank the Premier.

Clause put and passed.

Clauses 2 to 6 put and passed.

Title put and passed.

Third Reading

Bill read a third time, on motion by **Mr C.J. Barnett (Minister for State Development)**, and passed.

MIA DAVIES — CONSTITUTION ACTS AMENDMENT ACT 1899

Council's Message

Message from the Council requesting concurrence in the following resolution now considered —

That this house direct that Ms Mia Davies on becoming the holder of an office or place at the material time shall be disregarded for the purposes of section 38 of the Constitution Acts Amendment Act 1899 and that the Legislative Assembly be invited to pass a similar resolution.

Motion to Concur

MR C.J. BARNETT (Cottesloe — Premier) [4.20 pm]: I move —

That the Legislative Assembly concurs with the resolution contained in Legislative Council message No 9.

This is a very unusual situation. The resolution from the Legislative Council reads —

That this house direct that Ms Mia Davies on becoming the holder of an office or place at the material time shall be disregarded for the purposes of section 38 of the Constitution Acts Amendment Act 1899 and that the Legislative Assembly be invited to pass a similar resolution.

Prior to the state election, Ms Mia Davies was employed as a ministerial officer within the office of the Leader of the second party in opposition; that is, of course, the National Party. This contract terminated on 23 September 2008 when the then Minister for Public Sector Management resigned from his office. Ms Davies was a candidate

for the National Party and was declared elected to the Legislative Council as a member for the Agricultural Region on 26 September 2008. Ms Davies formally took up the position of principal policy officer to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development, Hon Brendon Grylls, on 8 October 2008. Ms Davies was employed pursuant to section 68(1) of the Public Sector Management Act 1994. By accepting the contract, Ms Davies became an employee for the purposes of the Public Sector Management Act—one of the positions specified in part 2 of schedule V of the Constitution Acts Amendment Act 1899. The State Solicitor's office confirmed that, as a result of that appointment, her seat in the Legislative Council became vacant by force of sections 38(c) and 37(1)(a) of the Constitution Acts Amendment Act. Ms Davies was not aware of this provision at the time she took up the position as principal policy adviser. Subsequent independent legal advice received on 15 October 2008, after the contract had been finalised, revealed the problem. Ms Davies resigned from the position of principal policy officer on 16 October 2008 and has not received any remuneration for the period she worked; that is, from 23 September to 16 October.

The current position is that Ms Mia Davies' position as a member-elect to the Legislative Council can be reinstated by a resolution passed by both houses of Parliament pursuant to the Constitution act. I encourage members to support this resolution of the upper house. This was an innocent situation that arose when Ms Davies took on a position in the Minister for Regional Development's office. She was, justifiably, under the impression there was no difficulty with that. A contract had been provided through the Department of the Premier and Cabinet and she signed it and continued on. When she sought independent legal advice, it proved to be that it could be seen as a position under the Crown and, therefore, compromised her position as a member-elect to the upper house. To her great credit, she immediately stepped down and received no remuneration for that period.

It is an unusual situation. We can understand why that provision is in the act. In this case no-one became aware of it. Even in my office, when the names of ministerial staff came through, no-one twigged that Mia Davies had been elected. In fact, in the view of everyone involved it was not an issue, but it proved to be an issue and, therefore, she stood aside from that position.

The issue raises some wider issues. This came to the fore, I guess, because of the early election. I am not making political comment on that, but as Hon Norman Moore pointed out, what if a candidate on either side of politics, such as a school teacher or a nurse, had been elected to the upper house on 6 September. Under these provisions, presumably he or she would have been forced to resign and could not continue nursing or teaching until he or she took up the position in the Legislative Council on 22 November. I do not think anyone considers that that was ever intended. The provisions need to be revisited. That is not related to Mia Davies' situation, but simply to address a potential problem.

Nobody would suggest that a person in a senior position in government should continue in government employment, but a teacher, nurse or police officer should not be forced to step aside, which, in this case, is at least six months, prior to taking up their position in Parliament.

We intend to look at that and perhaps tidy it up. For the moment, I ask members to support this resolution. It was an innocent mistake. Nobody picked it up—the Minister for Regional Development, the candidate, my office or the Department of the Premier and Cabinet—and when advice was sought it was clear that Mia Davies should not be in that position. It is somewhat of an anomaly. She behaved quite properly in immediately stepping aside and she received no remuneration.

Mr E.S. Ripper: I agree with your comment about teachers, police officers and nurses—people who are not senior public servants. I would like you to say that you would not only look at it, but also bring legislation to this place to resolve that issue. I am not asking you to commit to the detail, but to commit to a resolution.

Mr C.J. BARNETT: I am happy to do that. Hon Norman Moore is looking at that now. It is an obvious anomaly. It might come up in the fixed election terms legislation. If there are fixed elections in February or March on a specified date, the gap between the election and members taking their seat in the Legislative Council would be reduced; that is, if 22 May remains.

Mr E.S. Ripper: You could always align the dates of both houses.

Mr C.J. BARNETT: We could and we can have that argument when the issue is debated. In this case, with an early election, it is an extended period.

Even in this case, probably Mia Davies, having a long period before taking up her office, would have thought she could continue in her employment. That would be a very natural view, particularly for a young employee, to take.

Mr V. Catania: Surely advice had been given to members-elect in previous terms of government. Why was this advice different to the advice I received when I was in a similar position to Mia in 2004?

Mr C.J. BARNETT: I do not know what happened in regard to that. This situation happened and there is no excuse or blame attached. It was not picked up and nobody noticed it. I understand that when Mia Davies made

some inquiries, the initial view from the government was that there was not an issue. Clearly, when independent legal advice was sought—the State Solicitor looked at it more carefully—it was determined that there was an issue and she immediately stood aside.

Mr V. Catania: I actually got advice in 2004 that said I could not work for a minister's office.

Mr B.J. Grylls: Who did you get legal advice from?

Mr V. Catania: The government.

Mr C.J. BARNETT: The Minister for Regional Development will respond shortly.

In my office, when considering the names of people being appointed to ministerial offices, nobody, me included, twigged that Mia Davies was a member-elect. To be honest, it slipped through the cracks. There was no attempt to circumvent the rules; it simply happened. With respect, I would have recognised the member for North West's name. As an existing member of Parliament, I would have known who the member was and that he was changing houses.

Mr V. Catania: It was prior to me coming into the Parliament in 2004 when I was a member-elect in the upper house.

Mr C.J. BARNETT: I cannot explain that. The minister might wish to comment. It was an unfortunate situation that happened by chance, causing great stress to Mia Davies, who, having won her seat, thought she would potentially not become a member of Parliament. Fortunately, there was a safety mechanism; that is, a resolution of both houses that, hopefully, we can pass now. It will then reassure her that she can take up her lawfully elected position as a member of the Legislative Council.

MR B.J. GRYLLES (Central Wheatbelt — Minister for Regional Development) [4.28 pm]: For the benefit of members opposite, Mia Davies was an employee of the Department of the Premier and Cabinet prior to the election, working in the second part of the Leader of the Opposition's office, which was my office. At the required time, Mia took leave of absence from that job to contest the election. Subsequent to the election, when it was known that Mia was elected, we sought advice from the Department of the Premier and Cabinet, given the long time frame between the election and 22 May, on whether Mia Davies could come back into the ministerial office. We had that discussion with the Department of the Premier and Cabinet and the department reviewed the Public Sector Management Act and the Constitution Acts Amendment Act and made Mia Davies aware that it could not see any impediment to that position in the ministerial office being taken by her. The contract was then issued.

Subsequently, formal written advice of those conversations was again provided by the Department of the Premier and Cabinet that, on a review of the Public Sector Management Act and the Constitution Acts Amendment Act, there seemed to be no impediment to Mia Davies taking her place in the ministerial office until 22 May, when she would take her position in Parliament. That letter from the Department of the Premier and Cabinet also advised that, due to other issues, outside legal advice should be sought. This advice was provided after the contract had been issued and signed. Mia Davies took that advice and sought outside legal advice and she was advised that there may have been a breach of the act, and that put in train the events that have occurred. As soon as she became aware of that, Mia Davies resigned from the position. No money was paid to Mia Davies for accepting that position. I telephoned the Leader of the Opposition and Giz Watson, the leader of the Greens (WA), firstly, to make them aware of the breach, and, secondly, to ensure that other members-elect do not find themselves in the same situation.

The upper house has supported this motion. I commend all members in this place to support the motion. I also ask that in the future the Department of the Premier and Cabinet look at a better way of supporting new members-elect. It seems that the notion that new members-elect should need to seek outside legal advice on what they can and cannot do before taking their place in Parliament leads to some challenges right across the board. I hope that, firstly, this situation leads to legislation to fix this anomaly so that it does not happen in the future, and, secondly, when members-elect on all sides of politics are declared and there is a gap before they take up their position, either the Parliament or the Department of the Premier and Cabinet provide better support to those members-elect. The member for North West referred to the problem that it caused him. I am sure that there are other examples. There is an enormous system to support members of Parliament, but it seems that in this case that system did not work. I know it has caused enormous distress for Mia Davies and for me, as I was also involved. It now requires this remedy. I hope that Parliament can work to ensure that advice is available to members and that it is made known to all members so that we can get a better outcome in the future.

Ms A.J.G. MacTiernan: Minister, before you sit down, can I ask a question by way of interjection?

The SPEAKER: Order, member! Another member was on his feet and I was about to give him the call.

MR T.G. STEPHENS (Pilbara) [4.32 pm]: I am sorry; I did not realise that was about to happen.

Obviously, we support the motion. I find the motion curious because when I was first associated with election campaigns for this Parliament back in 1980, I became conscious that people who stood for office in the upper house had to be very careful about these provisions. I can specifically remember the 1980 election when a lawyer was elected to the upper house and, understanding the operations of the act, that person no longer undertook work that involved any contracts with government because it might have been considered to be an office of profit under the Crown. Effectively, that person would have run the risk of invalidating his election to Parliament, despite the fact that the person had to wait several months to take up his employment as a member of the upper house.

I am struggling to remember the specific details, but a member of Parliament who was elected in the period in which I served in the upper house specifically sought advice after his election and was prevented from taking up employment within government for an extended period—not as long as this; it was from February to May. That person was consigned to unemployment for that period and did not have the benefit of being able to secure any employment until May. It was widely known that members-elect were not to take up employment with government, so I am stunned that somehow the system has not allowed that advice to get through to the National Party and to the member in question. Be that as it may, I can be stunned all I like. People have quite clearly not received the flow of information that should have been in the corporate memory of this place and in government generally to prevent the necessity for this motion. However, the motion is now necessary, and it strikes me as curiouser and curiouser. Having said that—that's life!

MR E.S. RIPPER (Belmont — Leader of the Opposition) [4.34 pm]: The Labor Party will support this motion. I want to place on record our reasons for doing so. The Leader of the National Party and the then Director General of the Department of the Premier and Cabinet met with me—I think Hon Giz Watson was also present—and provided a briefing on the issue. I was concerned about the fact that Ms Davies had received some preliminary advice from the Director General of the Department of the Premier and Cabinet that indicated that it would be reasonable for her to take up the position, but that she should seek independent legal advice. I am told that when she sought independent legal advice, the advice cast doubt on the validity of her position as a member of Parliament, even though at that stage she had only signed the contract of employment and had not yet received any payment. The Labor Party supports this motion on the understanding that, despite the fact that no payment has been made, the government believes that there is a legal problem. We also support the motion on the basis that the government believes that this is an effective solution to the matter from a legal perspective.

Mr C.J. Barnett: If there is any doubt, this motion removes the doubt.

Mr E.S. RIPPER: The Premier believes that there may be a problem, and that if there is a problem this motion constitutes an effective legal solution?

Mr C.J. Barnett: Yes, this will solve it; it makes it quite clear.

Mr E.S. RIPPER: That is one of the assurances I seek from the government. The second assurance I seek was probably provided by the Premier in response to one of my interjections. This is not the first occasion on which a member has faced a disadvantage after being elected to the upper house while employed in the public sector. There is a gap between the time of the election and the time at which the member can take up the parliamentary position. The member is then left for several months—in this case, many months—without pay. I think there ought to be a solution for all such people. Either there should be an alignment of the time at which seats are taken up in both the upper house and the lower house, which would remove this problem once and for all; or there should be a rule that if one is a teacher, nurse or police officer—perhaps there might be some question marks about police officers in this case—or is otherwise employed in the public sector but is not a senior public servant who provides advice to the government, one should be able to retain one's employment during the interregnum before one takes up one's seat in Parliament. I think the cleanest way to deal with it would be to align the dates at which seats are taken up in both houses, but the second solution I have outlined would also be effective.

The government has given to the opposition the undertakings we required to give support to this motion, so the way is clear for us to do so. We are inclined to support the motion because, after all, the electorate voted for Mia Davies. If Ms Davies were to be excluded from Parliament on a technicality, many people in her electorate would feel that their will had been thwarted. There are certainly no politics in this matter for either side; if Mia Davies was declared ineligible for membership of the upper house, I assume that the normal counting-out provisions for Legislative Council vacancies would apply and the next National Party candidate on the ticket would be elected to Parliament. The opposition thinks that what has happened to Mia Davies is an example of a problem that needs to be fixed. We are aware that it has not been fixed for other people. Nevertheless, given the particularly long gap involved in this case, what has happened is understandable, if regrettable. We are prepared to support the motion, but we would like this matter to be fixed once and for all so that in future, people who find themselves in such a position will not find it necessary to either give up their employment and their income for several months, or give up their seat in Parliament.

MR W.J. JOHNSTON (Cannington) [4.40 pm]: I do not intend to speak at length because obviously the opposition is supporting the resolution, but I want to draw the house's attention to the fact that this is quite an important provision. There is no doubt that somebody such as a schoolteacher, a policeman or a relatively lowly paid ministerial staffer is not in a particularly advantaged position, but this provision of course is designed to protect the Parliament from the executive, which is actually quite important.

The same provision applies in the Senate. People might remember a senator was elected some years ago in South Australia who was also deemed to have lost her seat because she worked for a minister at that time in the federal government. Of course in the Senate, when she resigned from her position as a ministerial staffer, people were able to appoint her to a casual vacancy to enable her to take up office. Indeed, Hon Louise Pratt resigned from here to take up her office in the Senate. In the seven months from November 2007 until July 2008 she was not able to work in the public sector. I do not think the Department of the Premier and Cabinet should be providing advice to people, because the Department of the Premier and Cabinet represents the executive. The reason that these provisions exist is to stop the executive bribing members of Parliament. If a person is to be elected and there is a long period before the person takes up office, or even a short period, the executive could give that person a position on very high remuneration and in return for that high remuneration expect particular behaviour of that member of Parliament in the future. I am not suggesting that is the case here, because clearly the office involved here is not a high-paid office. However, it is important to make sure that the executive and the Parliament are clearly understood as being separate organisations and separate parts of the democratic system.

I spoke in my inaugural speech about the importance of the Westminster system. Another fundamental part of the Westminster system is that Parliament is protected from the executive, which is a very important part of what happens. Again, I am not saying that there is anything wrong with this resolution. It is clearly fixing an error. Everybody makes errors from time to time. I am happy to see legislation that deals with this type of situation come forward, but the limits to that clearly need to be borne in mind. Perhaps moving to align the dates for election to the two houses would be the best solution. There might be another solution, but we should not think that this is just a minor issue. It is an important part of the separation of powers to ensure that the executive does not have control over members of Parliament.

MR V. CATANIA (North West) [4.44 pm]: I place on record that I agree totally with the member for Cannington's comments. In 2005 I was working for a minister when the election was called. I took leave, I think on 2 February, and I won my seat. We all think that we have the possibility of losing, but I won my seat in the upper house and so was a member-elect. I sought advice from the Department of the Premier and Cabinet prior to the election being called. The advice given to me was that I was not allowed to work in state government, and I think federal government. Basically, I had to be unemployed until I took office on 22 May 2005.

I fully respect the fact that this could have been an accident with the member-elect, but I am amazed that the Department of the Premier and Cabinet was not able to give the same advice that it gave me four years earlier. I am quite shocked that this has happened. As I said, I support the comments made by the member for Cannington. I agree that a member-elect should not work in government prior to entering Parliament because it opens up all sorts of issues and imposes a lot of pressures on the member-elect. I support this motion but I wanted to place the circumstances of my situation on record. It happened to me. Everyone should abide by the rules because they are in place for a reason.

MS A.J.G. MacTIERNAN (Armadale) [4.45 pm]: I support the motion. There is clearly a constitutional provision that allows an exception to be made in exceptional circumstances. It would seem that the particular circumstances of this case would constitute exceptional circumstances where there has not been an unreasonable action and it was an honest mistake.

I wonder whether the Minister for Regional Development could clarify a matter for me. I understand that Ms Davies was engaged as an electorate officer in a National Party office. Is that correct?

Mr B.J. Grylls: She was a policy officer here.

Ms A.J.G. MacTIERNAN: During the election?

Mr B.J. Grylls: No, she resigned at the appropriate time, as was always the case. She took leave of absence.

Ms A.J.G. MacTIERNAN: I want clarification of that. Did Ms Davies take leave of absence from her position from the time the writ was called?

Mr B.J. Grylls: As is required.

Ms A.J.G. MacTIERNAN: I want the minister to put that on the record. She did take leave of absence from her position from the time the writ was called until the time that —

Mr B.J. Grylls: It was until the time this contract was offered.

Ms A.J.G. MacTIERNAN: What happened to the other contract that she had?

Mr B.J. Grylls: She took leave of absence from the office of the second party in opposition.

Mr M. McGowan: Did she resign or take leave of absence?

Mr B.J. Grylls: She took leave of absence.

Ms A.J.G. MacTIERNAN: What happened to her contract at the end of the period of leave?

Mr B.J. Grylls: I assume that that was finalised. I cannot answer that question. She must have resigned.

Ms A.J.G. MacTIERNAN: Do we know that?

Mr C.J. Barnett: That contract would have lapsed as it would have been a term-of-government contract under your government.

Ms A.J.G. MacTIERNAN: We have clear confirmation. The minister is prepared to put it on the record that Ms Davies took leave of absence from the date —

Mr B.J. Grylls: That information was provided to the opposition leader.

Ms A.J.G. MacTIERNAN: I thank the minister.

MR M. McGOWAN (Rockingham) [4.47 pm]: As the Leader of the Opposition and other members have confirmed, the opposition has agreed with the government to support this motion. As we know, it was passed by the upper house. It is unfortunate that Ms Davies received incorrect advice from the Department of the Premier and Cabinet as to her status and whether she could work consequent to her election. That put her in a position where she did not do anything deliberate or improper or in any sense attempt to get around the rules because she sought that advice from the Department of the Premier and Cabinet and was given incorrect advice.

The Constitution provides for a way of managing the position in which Ms Davies placed herself on advice from the Department of the Premier and Cabinet. The Parliament is exercising its prerogative to use that constitutional provision to ensure that she is able to take her seat on 22 May, the time at which she would ordinarily take her seat. I hope that both Ms Davies and the National Party understand that the opposition has examined the situation carefully and we do not want to stand in the way of her career on the basis of incorrect advice she received from the Department of the Premier and Cabinet. We realise that she must be quite concerned about what to do over the next six months and whether she will become a member of Parliament or will need to look for alternative employment. I expect that alternative employment would be in the Leader of the National Party's office, as opposed to eventually landing in the Parliament. I also understand that the National Party has given an assurance that she will not assume a position in government in the ensuing five or so months, between now and 22 May 2009. We therefore understand that that issue is now resolved.

I pose just one question and would ask that we get some further advice on this matter. As I indicated, the opposition will support this motion. However, the member for Armadale raised a question about the time at which she ceased employment prior to the election. The Leader of the National Party advised us that she went on leave of absence. I have some familiarity with these issues, certainly in relation to the commonwealth Constitution. As I recall it, section 44 indicates that people who run as candidates for election to the commonwealth Parliament and are elected are required to have ceased their employment from the time the writs were issued. Under the commonwealth Constitution it is not a matter of someone interested in running for public office in the federal Parliament taking leave; it is a matter of them ceasing employment.

When I was a naval officer a long time ago and was considering running for public office in the state sphere, I removed all doubt and resigned completely; even though I was running for a separate Parliament from the commonwealth Parliament and even though there was some doubt about whether the commonwealth Constitution applied to me as an employee of the commonwealth pursuing a career in the state Parliament. Another candidate for federal office, Ms Jackie Kelly, whose career in politics has now come and gone, did not do that. She ran for the federal seat of Lindsay in March 1996. She failed to resign from the federal Parliament prior to the issue of the writs. She therefore infringed that provision when she was running for federal office. When the matter was examined, it was not even worth taking a challenge to the High Court of Australia because all the advice was to the effect that it was obvious she would be found to have infringed that provision. She resigned from the Parliament and the rest is history. I recall one of her final contributions was ending up on *Torvill and Dean's Dancing on Ice* with the stars.

Mr B.J. Grylls: My advice is that a policy officer is required to take leave of absence. One of our candidates who was a police officer was required to resign.

Mr M. McGOWAN: That is interesting.

Mr B.S. Wyatt: Resign?

Mr B.J. Grylls: Resign, as a police officer.

Mr M. McGOWAN: It is interesting that there is a different provision for some public servants. However, it begs the question: why? I have not examined the issue, but it does not strike me that there is a significant difference between those two jobs in the context of leave of absence for someone who is a public servant, as opposed to someone who is a police officer. It is an interesting point. I do not want to take up the house's time any more on this issue, except to say that there needs to be some more authoritative answer on the question about whether she was eligible to be elected at the time at which she was elected. I do not believe the provision of the Constitution that we are dealing with in this motion would exempt someone who was eligible to be elected at the time of that person's election. All we are doing by supporting this motion now is allowing the house to subsequently ratify the election of someone who was not eligible to be elected at the time.

Mr B.J. Grylls: Once again, that advice was sought from the Department of the Premier and Cabinet, as the employer.

Mr M. McGOWAN: That is a great worry. Was that advice sought before the election or after the election?

Mr B.J. Grylls: No; before. Other members have had to do the same thing.

Mr C.J. Barnett: Are you going to support it or not?

Mr M. McGOWAN: The Premier has missed my point. The opposition is supporting the motion. This is a separate issue. The Premier is obviously a bit tired!

The opposition will therefore support the motion. However, if it subsequently turns out that she was not eligible to be elected, there is nothing we can do. If she was not eligible to be elected, she was not eligible to be elected; therefore, someone further down the National Party ticket will be the member. We cannot control that. If that subsequently turns out to be the position, what we are doing now will not ratify Mia Davies' election. What we are doing now is ratifying her activities after the election. I want that point to be clear.

Question put and passed, and a message accordingly returned to the Council.

ADJOURNMENT OF THE HOUSE

Special

MR R.F. JOHNSON (Hillarys — Leader of the House) [4.55 pm]: I move —

That the house at its rising adjourn until a date and time to be fixed by the Speaker.

We have now come to the time of the year when I as Leader of the House, and other members, want to say a few words of thanks to those people who keep the cogs and wheels going in Parliament House and in this chamber, because without our tremendously dedicated staff we would never be able to run this Parliament. Before I start to thank various people, I want to say that this new government, which was elected on 6 September 2008, has passed some notable bills: the Surrogacy Bill 2008, the Police (Medical and Other Expenses for Former Officers) Bill 2008, the Training Legislation Amendment and Repeal Bill 2008, and the Mineral Sands (Eneabba) Agreement Amendment Bill 2008. Since this list was drawn up, we have passed quite a few more bills. So, we have not been asleep at the wheel. We have been working during our time in office. This year the Legislative Assembly has sat for 46 days, including the estimates hearings, and for 10 days under the new government.

I commence my comments of appreciation by thanking you, Mr Speaker, for the way you have done the job that you have taken on. You have done a tremendous job so far, Mr Speaker, and I am sure I speak for everyone in saying that we have every confidence that you will carry on doing a splendid job while you occupy that position. I also thank the Deputy Speaker, the member for Mount Lawley; and the Acting Speakers, the members for Albany, Jandakot, Maylands, North West and Scarborough. I also thank the Leader of the Opposition and the Deputy Leader of the Opposition, and the opposition leader of house business, the member for Rockingham, for their cooperation and support during these early stages of this government. I also thank the Minister for Regional Development and Leader of the National Party, and other members of the National Party. I also thank the Independent members: the member for Churchlands, who is, of course, the Minister for Education; the member for Alfred Cove; and the member for Kalgoorlie. The Premier and my fellow ministers are also on the list of people whom I want to thank. I also thank the government whip, the member for South Perth, and his assistant, Sylvia Norton.

Mr J.E. McGrath: We have not lost one yet!

Mr R.F. JOHNSON: So far, so good! I also thank the assistant whip, the member for Darling Range. I also acknowledge and thank all our government members, who have been sitting here and learning how the business of this chamber is run; and they have done a great job, so thank you, everybody.

Mr M.P. Whitely: What about me!

Mr R.F. JOHNSON: I am coming to the member.

Mr C.C. Porter: You can sit on Santa's knee soon!

Mr R.F. JOHNSON: Yes!

I also thank, of course, two people whom we would not be able to do without—Peter McHugh, the Clerk, and John Mandy, the Deputy Clerk—ably assisted by Kirsten Robinson, Clerk Assistant Committees; Liz Kerr, Clerk Assistant Procedure; and Julia Lawrinson, Sergeant-at-Arms, who I have to say does a fantastic job and gets everybody's attention when she comes into the chamber. I also give thanks and gratitude to the Legislative Assembly office and chamber staff: Kathy, Megan, Isla, Denis, Daniel, Selena and David. I also thank all the Legislative Assembly committee staff for the terrific job they do with the various standing committees of this chamber, and the joint standing committees.

I also acknowledge and thank Russell Bremner, Executive Manager, Parliamentary Services; Graham McDonald, Building Services Manager; and Peter Pascoe, Assistant Manager Building Services. I also thank Enno Schijf, Catering Services Manager; Mark Gabrielli, Dining Room Manager; and all the chefs and dining room, bar and catering services staff. I also thank Dawn Timmerman, the Finance Manager. I presume that is where we get our salaries from, so we have to thank her and the people in the finance department. I thank Rob Hunter, the Human Resources Manager; Judy Ballantyne, the Library and Information Services Manager, and her helpful and very friendly staff; and Belinda Corey, the Reporting Services Manager, and all the fantastic Hansard reporters. I emphasise that—our fantastic Hansard reporters.

Mr E.S. Ripper: They do a very good job with your speeches.

Mr R.F. JOHNSON: Thank you; they make them look much better. When I get them back I think, "Did I actually say that?" But it must be true. They correct all the bad grammar and make the speech intelligible. I also thank, for our security, Ken Craig and all the security officers in this Parliament; Jane Gray, James Sollis, Cherie Toovey and Michael Loney, our Assembly parliamentary education officers; David Embry and the audiovisual operators; and our wonderful switchboard operators, Cathy Harrison, Marilyn David and Rosalie Arnold. I think this applies to every member in this chamber, but when I call the switchboard, I do not have to tell them who I am. They know immediately; they recognise my voice.

Mr P.B. Watson: They have a little light on the phone that tells them who is calling.

Mr R.F. JOHNSON: No; they recognise our voices—make no mistake about that. I also thank David Boag, the Head Gardener, and all the gardeners, who do a wonderful job in making our gardens look really superb. I also thank all the cleaners and indeed all the Parliament House staff who contribute to the operation of this place. I make special mention of our friends in the media gallery.

An opposition member: I hope they are listening!

Mr R.F. JOHNSON: I am sure they are!

Before closing my remarks, I advise members that Thursday, 11 December is designated as a further sitting day, should we need to receive any urgent messages from the Legislative Council.

Finally, I wish all members and staff, their families and loved ones a very happy and safe Christmas, and a good new year.

MR E.S. RIPPER (Belmont — Leader of the Opposition) [5.02 pm]: I support the motion, and I join in offering my thanks and the thanks of members of the state parliamentary Labor Party to the people who have played a special part in our parliamentary activity over 2008. I begin by thanking the former Speaker, Hon Fred Riebeling, and the former Deputy Speaker, the then member for Wanneroo, and the people in the previous term of Parliament in 2008 who filled the role of Acting Speaker—some of them are still members—the members for Albany, Capel, Joondalup, Mindarie, Murray and Southern River. I thank you, Mr Speaker, for the courtesies you have extended to the opposition during the beginning of your term as Speaker. I thank the Deputy Speaker, the member for Mount Lawley, and the present Acting Speakers, the members for North West, Albany, Maylands, Scarborough and Jandakot.

I thank members on the other side of the house. I thank the opposition leaders we have seen during the year—Hon Paul Omodei, the present Treasurer and the present Premier. I thank the Premier for his contributions to the debates. We might have very strong differences of opinion throughout the year, but we are all here for the good of the people of Western Australia, and we have to respect each other's contribution.

Mr C.C. Porter interjected.

Mr E.S. RIPPER: Even the contributions of the Attorney General! I thank the Leader of the National Party and the Independent members of Parliament for their contributions. Although he is not present in the house at the moment, I particularly thank the member for Willagee, the former Premier, for his leadership of the parliamentary Labor Party during 2008, and for his magnificent contribution to the state of Western Australia as Premier.

I thank the parliamentary officers, in particular Peter McHugh, the Clerk, and the Deputy Clerk, John Mandy. The Leader of the House has listed a lot of people who contribute to our performance in Parliament and the work that we do. I would like to thank all of the staff: the attendants in the house, the gardeners, the security staff, dining room staff, library staff, and the bills and papers staff. Every member of Parliament appreciates the efforts of all those people. I must say when one moves into opposition, one particularly appreciates the services offered by parliamentary staff. They have been very helpful in assisting members of the state Parliamentary Labor Party adjust to their new role. One group of people I have not mentioned is the Legislative Assembly committee staff. Committee members know that without the work of those staff, the product of the committees would not be of the good quality that it is.

I also thank people who now work for the government, but who did sterling work for us when we were in government: Nick Hagley, the head of parliamentary services, Tuende Selby, and Peter Kennon. They have worked for Premiers of the past, and they are now working for the new government. It is a good feature of our political culture that that sort of transition can occur.

Finally—not quite finally—I would like to thank all members of Parliament. In particular I would like to thank members of the state Parliamentary Labor Party for the support they have offered me in my brief period as the Leader of the Opposition, and for the way in which they have accomplished what is a very difficult transition as people move from being part of the governing party to part of the opposition. I say well done to the members of the state Parliamentary Labor Party. I have been even more proud to be a member of the party as I have watched this transition.

I also thank the people of Western Australia who actually put us all here, and on whose behalf we work. I wish every member and everyone associated with the Parliament a very happy and healthy Christmas, and a prosperous new year.

MR C.J. BARNETT (Cottesloe — Premier) [5.07 pm]: Very briefly, in many respects this has been a quite extraordinary year in the history of the Western Australian Parliament. I am reminded of the very sad loss of Trevor Sprigg at the beginning of the year, and from there on it has been a year that I think this Parliament—whether for good or bad—will remember. As I said, it has been a quite extraordinary year.

I also thank the chamber staff in particular, and all the parliamentary staff for their assistance throughout the year. I thank all members, particularly the new members, and I simply say to all that I wish those you love and those who love you a very, very happy Christmas and a very successful and prosperous 2009.

MR M. McGOWAN (Rockingham) [5.08 pm]: It is an unusual experience for me to be speaking at the special adjournment at the end of the year. In prior years to this, I was always at the media drinks at this point in time, and I was always pretty annoyed when the bells were ringing whilst the media drinks were on—as were other members in this place who were at the media drinks and did not want to come down. It was always a good opportunity for the opposition when the media drinks were on as it was very possible for governments to lose divisions at that time; indeed, I think on one occasion a government lost a division because of it.

Mr E.S. Ripper: It happened to me when I was Leader of the House!

Mr M. McGOWAN: It is a difficult time for any Leader of the House or manager of opposition business, but I am pleased to inform the Leader of the House that we will not behave in that grossly irresponsible fashion that I have seen of previous oppositions. We will act with the decorum and responsibility that the house deserves at this time, or so we think!

I join other members in saying some thanks as the manager of opposition business. First, I thank all my colleagues for what has been a difficult three weeks and one day of sitting since the time that I have been manager of opposition business. It is never easy to move to opposition. One of the burdens of democracy is that governments sometimes lose elections. It is not easy to go from having power at one's fingertips to not having that power. I express my appreciation to my colleagues for the way in which they have behaved during this traumatic period. They have got on with the job and made sure that we have been an effective opposition right from the start.

I have also learnt a thing or two about the great Australian expression “herding cats”. As manager of opposition business, my role is to herd cats. I am pleased to say that the cats have been relatively easy to herd during my three weeks and one day in this role, and I hope that situation continues over the next four years.

I congratulate the government on its election. Its members did a good job. This time last year I did not envisage the result of the recent election. Members opposite did a good job, and I congratulate them for that. I congratulate the Leader of the Opposition for what has been a positively Howardesque —

Mr E.S. Ripper: The Premier!

Mr M. McGOWAN: I am sorry, the Premier. Perhaps this will also happen to the Leader of the Opposition in due course!

Mr E.S. Ripper: You can continue with the analogy.

Mr M. McGOWAN: I congratulate the Premier on his ascension to power, which has been positively Howardesque. It was an extraordinary comeback. Whilst I would have preferred that to not have happened, I congratulate him on his remarkable achievement. I know that the other ministers did not think they would be sitting in those seats for a considerable time, but I congratulate them on getting there. It is very exciting and a great honour to be a government minister.

Being a new member of Parliament is an exciting time. When one first arrives in this place, everything is very confusing. There are a lot of things that new members think they will never understand, but I am sure, over time, they will come to understand what happens here. They will hopefully be here for long enough to appreciate the experience. Members should always remember that it is a wonderful opportunity and a great privilege just to be here. If they are here for only four years, they should regard that time fondly. If they are here for more than four years, they should enjoy the time while it lasts and should never become bitter. I always advise new members to remember how lucky and happy they felt on the night on which they were elected. They should remember to keep that inner glow, even if it does not last as long as they might hope.

I acknowledge all the staff of the building and the grounds. Hansard reporters invariably do a wonderful job. I thank all the chamber staff. The attendants tell me that I hold the record for ordering the most glasses of water of any member in history. I think that is because I am staying in the house so much more than I used to and it gets kind of hot in here. I acknowledge all the attendants and the staff around the building and in the bar. Everyone's favourite staff member, Romeo, is about to celebrate his twenty-fifth year in the building. He told me that he arrived here when Ray O'Connor was Premier. I particularly acknowledge Romeo for his long service to the house. I think a function will be held shortly to acknowledge his service. I also acknowledge the outside staff—I do not know their names—the gardeners and groundskeepers of the building. I wave to them as I drive in, as I am sure do most members, but I do not know their names. I thank them for their work. They do a good job. It is a hard job to be outside all the time.

In closing, I particularly acknowledge the member for Willagee, the former Premier, who has had to endure more than most people should. He has got on with the job and has conducted himself with a magnificent amount of decorum since the election. He was an outstanding and a great Premier.

MR B.J. GRYLLES (Central Wheatbelt — Minister for Regional Development) [5.14 pm]: On behalf of the Parliamentary National Party I pass on our best wishes to all members for the festive season and the parliamentary break and wish them an enjoyable and safe time during that break. We also pass on our thanks to the parliamentary staff, the groundspeople and all those who contribute to the Parliament. We wish them best wishes for the season.

THE SPEAKER (Mr G.A. Woodhams): It is not all that often that I get to make a speech in this place. Many people have said to me, "It must be wonderful to be the Speaker because you are rather good at making speeches." I say to people, "I actually get to stop people from making speeches! That is the role of the Speaker."

Members will appreciate that I am a fine student of *Hansard* and have spent many a late hour in this place looking at former adjournment speeches, and I thought I would craft something together.

Mr M. McGowan: Is it a poem?

The SPEAKER: No, it is not a poem. I was hoping that the member for Balcatta might be here. On behalf of myself, the Deputy Speaker and the Acting Speakers I thank members, in this thirty-eighth Parliament, for the opportunity to be up here and, on most occasions, for the respect that members show us. It is a challenging role for many of us coming to this place for the first time, let alone being the Speaker. I thank members for their general respect.

It certainly is a long journey for me, from a seat that no longer exists—the seat of Greenough—to be sitting up here. It is not a position that I expected to be in, and, to be quite open with members, it is not a position that I aspired to. I certainly admired the work of the previous Speaker, Hon Fred Riebeling. I had the opportunity, with the previous Speaker, to be an Acting Speaker, and obviously gained some experience in the role. It is something that I hope to be able to offer my fellow team. Today, they had their first non-crayfish meal in the Speaker's suite. I think there were a couple of sausages and a couple of chops—and that is the way it will continue, members!

Mr T.R. Buswell: Is that your three per cent?

The SPEAKER: That is my three per cent, Treasurer!

To both the Premier and the Leader of the Opposition, I thank you for your support in this place, your conduct and the way that business is done here. I also thank the Leader of the House and the manager of opposition business for keeping me informed and also asking questions about things that need clarification. I think it is important for the efficiency of this place for that to happen, so I would like to thank them.

I would also like to thank the people who sit at this desk in front of me. I would like to start with Peter McHugh. Peter is here. I had the marvellous experience of travelling with Peter to China a couple of years ago on a trip with the then honourable Speaker Fred Riebeling. Peter is an interesting person. Members have got to keep the trip to China in their minds when I say this—in no way would I compare Peter to a piece of fruit; however, he is a great mandarin! Peter, I thank you for your counsel and for your assistance.

John Mandy informs me that he is once again coming north to Geraldton to tend the graves of some relatives. I once loaned John a shovel. I do not know if it was the same shovel that came back, John, but it was returned and it is still available if you need to tend those graves further. I thank John also for his wise counsel.

I thank Liz Kerr, who is leaving us. Liz is growing Australia, as some of you may have noticed! I do wish her well. We will miss her guidance around here. We hope that she is able to return at some point; even several points, with several members of the family!

I also thank Kirsten Robinson. Kirsten is the quietest of the trio I have mentioned. Her guidance is exceptional. I thank you, Kirsten.

I have the best Sergeant-at-Arms that a person could ever hope for in Julia Lawrinson. Julia actually brings new meaning to the use of the mace. I only wish it was a mace that could be used as a spray in other places, Sergeant! We may try to negotiate that on another day. I look forward to that.

I thank everybody who works in the chamber. Sometimes I think as new members it takes quite a while to understand and appreciate what the people in the chamber do. I certainly know that it extends beyond bringing the leader of opposition business a sixth or seventh glass of water for the day. It is quite an onerous task and it is performed with great efficiency, so I would particularly like to thank Isla, Kathy, Denis, Daniel, Selena, David and Megan. Some members may not know Megan. She has been assigned to me for this period of Parliament to work and help me in some of the things that I need to have happen for the Speaker's Office. Megan came off the floor in the chamber but she also does that job. Therefore, she has done double duty and I would like to thank Megan in particular.

Members cannot have this sort of body without help and assistance. I would really like to thank Vince. Vince is fabulous and past Speakers would certainly endorse Vince's work in the Speaker's suite. His chicken broth and dry biscuits are absolutely wonderful and that is the reason I am able to stand before members today. I will invite some members in on other occasions.

One of my great passions in coming to this place in 2005 was education and I continue to have a great passion for education. One thing reflected to me not only in my electorate, but also broadly across Western Australia, is what a fabulous education program the Parliament of Western Australia has. I would certainly like to acknowledge the work of Jane Gray and all her staff in the Parliamentary Education Office. The great number of schools, staff and students who come through the Parliament would all endorse that fabulous program. In my opinion it is the best parliamentary schools program in Australia; it is done brilliantly.

Once again, I know some members are new and they are sitting on committees. The committee staff in this place are excellent and I would like to acknowledge them. There are many other parts of Parliament that come together to make this place work; it is not just about politics or about us in this chamber. I think other members in this place have acknowledged the staff in Parliamentary Services, Hansard, and the Library, the dining room staff, the gardeners, security staff, Building Services, the switchboard operators and also our faithful audiovisual people who have had a few struggles in recent times.

I wish members a fantastic festive season. Happy Christmas and all the best for the new year. I look forward not to being here next Thursday; I hope that is not the case. I hope I see members later today over, perhaps, half a glass of red and I wish members a safe and successful summer and look forward to being here again when Parliament resumes next year.

Question put and passed.

House adjourned at 5.22 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

CLOSED CIRCUIT TELEVISION COVERAGE, KALGOORLIE - LIBERAL PARTY ELECTION COMMITMENT

1. Ms M.M. Quirk to the Minister for Police

- (1) Are you aware of the Liberal election commitment to provide \$200,000 for closed circuit television camera (CCTV) coverage in Kalgoorlie?
- (2) Who will administer these funds?
- (3) When will these funds be allocated?
- (4) When will the CCTV be operational?
- (5) Who will monitor the CCTV footage in Kalgoorlie?
- (6) How was the focus on Hannan Street and Johnston Street determined?
- (7) Are there other areas that require access to CCTV in Kalgoorlie?
- (8) When will these areas have access to CCTV?

Mr R.F. JOHNSON replied:

- (1) Yes the government is aware of this election commitment
- (2)-(8) The government is currently considering these matters

NEW POLICE STATIONS IN NEXT FOUR YEARS

2. Ms M.M. Quirk to the Minister for Police

- (1) What new police stations will the Government build in the next four years?
- (2) What police stations will be refurbished in the next four years?
- (3) What police stations will be re-opened in the next four years?
- (4) What process is undertaken to decide which police stations will be re-opened?

Mr R.F. JOHNSON replied:

- (1) In accordance with an approved program it is the intention of Government to build the following police stations
 - Perth Police Complex;
 - Blackstone Multi-functional Police Facility;
 - Burringurrah Multi-functional Police Facility;
 - Carnarvon Police Station;
 - Kimberley District Police Complex (Broome);
 - Looma Multi-functional Police Facility;
 - Pilbara District Police Complex (Karratha);
 - Rockingham Police Rail Unit;
 - Secret Harbour Police Station;
 - Hopetoun Police Station; and
 - Jerramungup Police Station.

New capital works projects are also being considered as part of the Liberal Election Commitment to construct new police facilities in a \$24 million plan across WA, including regional areas.

On an annual basis, WA Police submit, as part of the budget submission process, capital works projects for funding consideration by Government.

- (2) The refurbishment of police stations is currently undertaken through the Police Station Upgrade Program. The program is determined on an annual basis, based upon the most up-to-date information relating to operational demands and accommodation priorities for WA Police.

Refurbishment work is currently underway at the following Police Stations:

- Joondalup
- Armadale
- Midland
- Kalgoorlie

- Mount Barker
- Katanning
- Mirrabooka
- Manjimup
- Denmark
- Warwick
- Norseman
- Wundowie
- Halls Creek

- (3)-(4) This is currently a subject under consideration by the Minister for Police in consultation with local communities.

BLACKSTONE MULTI-FUNCTIONAL POLICE FACILITY - LIBERAL PARTY ELECTION COMMITMENT

3. Ms M.M. Quirk to the Minister for Police

- (1) Is the Minister aware of the Liberal election commitment to invest over \$6 million to complete the Blackstone Multi-functional Police Facility in 2009?
- (2) Is the Minister aware that \$6.4 million was allocated to the Blackstone Multifunctional Police Facility in the 2008-2009 State Budget?
- (3) Is the Liberal commitment in addition to already allocated funding within the 2008-2009 Budget?
- (4) Is the Minister aware that within the Liberal Financial Statement 2008 State Election, \$3.01million was allocated in 2008-2009 to new police stations and upgrades?
- (5) Where does the Liberal commitment of over \$6 million feature in the Liberal Financial Statement 2008 State Election?
- (6) What is the current status of the Blackstone Multi-functional Police Facility?
- (7) What is the expected completion date of the Blackstone Multi-functional Police Facility?

Mr R.F. JOHNSON replied:

- (1) This does not form part of the Liberal election commitment - refer to Question 2.
- (2) Yes. This funding was provided under a State/Commonwealth Agreement in which \$20 million was provided to assist in the construction of Multi-functional Police Facilities, Relieving Officers Quarters and staff housing at 3 new sites and 1 Relieving Officers Quarters at an existing Multi-functional Police Facility.
- (3) There is no Liberal Government commitment over and above the 2008/09 budget in relation to the Blackstone Multi-functional Police Facility.
- (4) The \$3.01 million forms the commencement of the \$24 million new police facilities and upgrades plan.
- (5) The additional \$6 million Liberal election commitment for Police related to the re-opening of regional police stations in consultation with local communities.
- (6) The Blackstone Multi-functional Police Facility is a transportable type building which is currently under construction in Perth. The building is to be transported to Blackstone in 11 sections and re-assembled on site. Transportation is scheduled for commencement in late November 2008.
- (7) Practical completion of the Blackstone Multi-functional Police Facility is scheduled for January 2009.

GRAFFITI TASKFORCE - REINSTATEMENT

4. Ms M.M. Quirk to the Minister for Police

- (1) Has the Graffiti taskforce been reinstated; and
 - (a) if yes to (1), what date was it reinstated?
- (2) Can you outline the responsibilities of this taskforce?
- (3) What funding has been allocated directly to this taskforce?
- (4) When will legislation be introduced to provide penalties for the sale and supply of spray paint to young people?

Mr R.F. JOHNSON replied:

- (1)-(4) The government is currently considering these matters.

SCHOOL-BASED POLICE

5. Ms M.M. Quirk to the Minister for Police

- (1) How many school based police currently operate in Western Australian schools?
- (2) Which schools do school based police currently operate in?
- (3) When will this number be increased?
- (4) Are school based police fully trained and registered members of the Western Australian police force?
- (5) What service does a school based police officer provide?

Mr R.F. JOHNSON replied:

- (1) None. Police officers ceased to be directly deployed to Western Australian schools in 2001.
- (2) N/A
- (3) Options for increased WA Police involvement in Western Australian Schools are currently the subject of discussion between the Minister for Police and the Commissioner of Police. Matters requiring police attendance at or around schools are dealt with via normal channels of communication.
- (4) N/A
- (5) N/A

OUT-OF-HOME RESPITE FACILITIES - LIBERAL PARTY ELECTION COMMITMENT

10. Mr M. McGowan to the Minister for Housing and Works

- (1) In accordance with the 2008 Liberal election commitments, when will construction begin on five out-of-home respite facilities in Metropolitan Western Australia?
- (2) Where will these five out-of-home respite homes be located?
- (3) When will construction begin on five out-of-home respite facilities in Rural Western Australia?
- (4) What facilities will be built in regional or remote areas of Western Australia?

Mr T.R. BUSWELL replied:

- (1)-(4) It is working closely with the Disability Services Commission on the location of the five new respite facilities. Priority locations across country and metropolitan regions will be based on evidence of need and demand.

NORTHERN TOWNS DEVELOPMENT FUND - PRIORITIES

13. Mr M. McGowan to the Minister for Housing and Works

- (1) Will the priorities of the Northern Towns Development Fund be residential development and housing;
 - (a) if no, what will the priorities of this fund be; and
 - (b) if yes, as the Minister for Housing and Works will you have carriage of this Fund?

Mr T.R. BUSWELL replied:

Cabinet will determine the responsibility for, and priorities of, the Northern Towns Development Fund. As the Minister for Housing and Works I expect that the Department of Housing and Works will work with Landcorp and other agencies to ensure affordable housing outcomes are achieved as part of the Fund's focus on residential development..

ABORIGINAL AND NON-ABORIGINAL PRISONERS - POPULATION BREAKDOWN

14. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November, 2008 what is the breakdown of numbers of Aboriginal and non-Aboriginal prisoners at each of Western Australia's prisons?
- (2) What number of Aboriginal prisoners who reside in the Goldfields, Kimberley, and Pilbara are currently held in prisons outside of these areas?
- (3) What efforts have been made to house Aboriginal prisoners closer to their home areas?

Mr C.C. PORTER replied:

- (1) The following table records the number of Aboriginal prisoners and Non-Aboriginal prisoners at each Western Australian prison on 1 November 2008.

Prison	Aboriginal Prisoners	Non-Aboriginal Prisoners
Acacia	278	529
Albany	94	128
Bandyup	71	112
Boronia	14	52
Broome	141	6
Bunbury	40	159
Casuarina	334	283
Eastern Goldfields	80	22
Greenough	190	33
Hakea	200	534
Karnet	27	195
Roebourne	148	12
Wooroloo	52	206

- (2) The following table provides the number of Aboriginal prisoners who identified Goldfields, Kimberley, and Pilbara as their last known address and were held in prisons away from those areas, as at 1 November 2008.

Nominated Area	Goldfields	Kimberley	Pilbara	Totals
Prison in Area	Eastern Goldfields	Broome	Roebourne	
Number of Aboriginal Prisoners held in Prisons Outside the Area Identified as their Last Known Address	107	253	72	432

- (3) The Department makes every effort to place all prisoners as close as possible to family, friends and/or significant others in order to promote family, community and social support. Such placement is necessarily impacted upon by a number of factors, including the prisoner's assessed security status, treatment needs and stated individual preferences.

PRISONS - INCARCERATION ALTERNATIVES

15. Mr P. Papalia to the Minister for Corrective Services

- (1) How many alternatives to incarceration in prisons are there in Western Australia?
- (2) What are these alternative methods?
- (3) What are the relative costs per day for each of these alternatives?

Mr C.C. PORTER replied:

- (1) There are six alternatives to custody for adult offenders.
There are three alternatives to custody for juvenile offenders.
- (2) These alternative methods are:

Adults

Home detention bail (alternative to remand in custody);
Suspended imprisonment;
Conditional suspended imprisonment;
Work camps;
Re-entry release and
Parole

Juveniles

Supervised bail;
Conditional Release Order and
Supervised Release Order.

- (3) The cost rates provided below reflect actual performance for the 2007/08 financial year.

Alternatives Cost per day

Adults

Home Detention Bail \$53.95
 Suspended Imprisonment nil
 Conditional Suspended Imprisonment \$24.05
 Work Camps \$285.27
 Re-entry Release \$24.05
 Parole \$24.05

The costs per day for community orders (Conditional Suspended Imprisonment, Re-entry Release and Parole) are the average costs of managing an adult offender on community supervision.

Juveniles

Supervised bail \$78.52
 Conditional Release Order \$78.52
 Supervised Release Order \$78.52

The costs per day for community orders (Supervised Bail, Conditional Release Order and Supervised Release Order) are average costs of managing a juvenile offender on community supervision.

The cost of managing adult and juvenile higher end orders would be greater than the average as more supervision is required.

The cost of keeping an offender in prison is \$272.91 per day.

The cost of keeping an offender in a juvenile custodial facility is \$473.78 per day.

PRISONERS - COMMUNITY WORK PROGRAMS

16. Mr P. Papalia to the Minister for Corrective Services

- (1) What community work programs are in place for Western Australian prisoners?
- (2) How many prisoners are involved in these programs?
- (3) What other programs operate inside prisons to assist prisoners with reform?
- (4) Does the Government have any intentions of expanding the use of various community?

Mr C.C. PORTER replied:

- (1) Community work programs in place for prisoners are
 Prisoner Employment Program (PEP)
 Prison Work Camps
 Section 95 work activities
- (2) Numbers of prisoners involved in work programs are as follows
 As at 1 December 2008, Prisoner Employment Program (PEP) 16 prisoners in process of approval
 As at 1 December 2008, Prison Work Camps 95 prisoners.
 As at 28 November 2008, Section 95 work activities 213 prisoners
- (3) Various programs operate within the prison to assist with reform. They fall under the categories of
 - Sex Offending Programs
 - Violent Offending Programs
 - Addictions Offending Programs
 - Prison-based Female-Specific Program
 - Cognitive Skills Programs
- (4) An answer will be provided if the member rephrases the question so as to clarify its meaning.

PRISONERS - INCARCERATION COST PER DAY

17. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November 2008, what is the per day cost of keeping a male offender in a Western Australian prison?
- (2) As at 1 November 2008, what is the per day cost of keeping a female offender in a Western Australian prison?

- (3) As at 1 November 2008, what is the per day cost of keeping a juvenile offender in a Western Australian detention centre?

Mr C.C. PORTER replied:

- (1)-(2) The cost per day of keeping a prisoner in a Western Australian prison was \$195.95 as at the end of the first quarter ending 30 September 2008. (Gender breakdown is not available)
- (3) The cost per day of keeping a juvenile in a Western Australian detention centre was \$591.47 as at the end of the first quarter ending 30 September 2008.

JUVENILE OFFENDERS - DEPARTMENT OF JUSTICE PROGRAMS

19. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November 2008, how many juvenile offenders were in the care of the Department of Justice?
- (2) How are the numbers of juvenile offenders in (1), broken down into various justice programs?

Mr C.C. PORTER replied:

1. The Department of Justice does not exist. However, as at 1 November 2008, 158 young people were in custody of the Department of Corrective Services. As at 30 October 2008, there were a total of 1,720 young people being managed or subject to supervision in the community. (Statistics for Community Justice Services are calculated on a weekly basis and as such information is provided as at 30 October 2008, the closest date to 1 November 2008).

2. Juvenile Custodial Services as at 1 November 2008

	Number of Persons
SENTENCED	
Males	71
Females	5
Total Sentenced	76
UNSENTENCED	
Males	73
Females	9
Total Unsentenced	82
TOTAL JUVENILES	158

Community Justice Services as at 30 October 2008.[1]

Service/Order Type	Number of Services/Orders
Preventative Cases	92
Juvenile Justice Teams [2]	1098
[3]	11
Community Work Order (CWO)	340
Youth Community Based Orders (O)	2
Adult Community Based Orders (CBO)	136
Intensive Youth Supervision Orders	0
Adult Intensive Supervision Orders (ISO)	208
Juvenile Conditional Release Order (CRO)	64
Supervised Release Order (SRO)	

[1] It is noted that a young person may be subject to multiple orders or services at any one time. Therefore the following figures are not directly correlated to number of 1720 (refer 1 (a)). This figure consists of persons on supervision orders, juvenile justice team referrals and preventative services. Statistics relating to individual offenders are not available.

[2] This represents 905 distinct persons

[3] Supervised orders represent 723 distinct persons

PRISONS - ACCOMMODATION FOR BOTH MALE AND FEMALE PRISONERS

20. Mr P. Papalia to the Minister for Corrective Services

- (1) Are there prisons in Western Australia that house both male and female prisoners;
- (a) if yes to (1), what are the names of these prisons, and what is the breakdown of male and female capacity numbers?
- (2) What circumstances would result in male and female offenders being housed in the same prison?

Mr C.C. PORTER replied:

- (1) Yes.
- (a) The Prisons that are designed to house both male and female prisoners are:

Prison	Design Capacity	Total Design Capacity	
	Male Prisoners	Female Prisoners	
Broome	57	9	66
Eastern Goldfields	79	21	100
Greenough	198	21	219
Roebourne	106	10	116
Totals	440	61	501

- (2) The circumstances that would result in male and female prisoners being housed in the same prison are:
- The prisons identified in response to question 1(a) are permanently designed to accommodate both male and female prisoners within separate areas of the prison.
- The department's efforts to place all prisoners as close as possible to family, friends and/or significant others to facilitate visits and support.
- This is dependent on factors such as prisoner's assessed security status, treatment needs and stated individual preferences.

PRISONERS - MALE INCARCERATION STATISTICS

21. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November 2008, how many male offenders are currently detained in:
- (a) minimum security prisons;
- (b) in medium security prisons; and
- (c) maximum security prisons?

Mr C.C. PORTER replied:

- (1) As at 1 November 2008 there were 685 male offenders detained in Minimum security prisons in Western Australia.
- (2) As at 1 November 2008 there were 1284 male offenders detained in Medium security prisons in Western Australia.
- (3) As at 1 November 2008 there were 1027 male offenders detained in Maximum security prisons in Western Australia.

PRISONERS - MALE INCARCERATION SECURITY LEVELS

22. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November 2008, how many males in Western Australian prisons are classified as;
- (a) minimum security prisoners;
- (b) maximum security prisoners; and
- (c) other?

Mr C.C. PORTER replied:

- (1) (a) As at 1 November 2008, 1035 male prisoners were classified as Minimum security prisoners.

- (b) As at 1 November 2008, 643 male prisoners were classified as Maximum security prisoners.
- (c) As at 1 November 2008, 1951 male prisoners were classified as Medium security prisoners.

PRISONERS - MALE, FEMALE AND JUVENILE

23. Mr P. Papalia to the Minister for Corrective Services

- (1) As at 1 November 2008, what is the total number of males in Western Australian Prisons?
- (2) As at 1 November 2008, what is the total number of females in Western Australian prisons?
- (3) As at 1 November 2008, what is the total number of juveniles in Western Australian prisons?

Mr C.C. PORTER replied:

- (1) As at 1 November 2008 there were 3,629 males in West Australian prisons.
- (2) As at 1 November 2008 there were 311 females in West Australian prisons.
- (3) As at 1 November 2008 there were no juveniles in West Australian prisons. As at 1 November 2008 there were a total of 158 juveniles in juvenile custodial facilities.

PRISONERS - FEMALE INCARCERATION SECURITY LEVELS

24. Mr P. Papalia to the Attorney General

- (1) As at 1 November 2008, how many women in Western Australian prisons are classified as;
 - (a) minimum security prisoners;
 - (b) maximum security prisoners; and
 - (c) other?

Mr C.C. PORTER replied:

- (1) (a) As at 1 November 2008, 102 female prisoners were classified as Minimum security prisoners.
- (b) As at 1 November 2008, 38 female prisoners were classified as Maximum security prisoners.
- (c) As at 1 November 2008, 171 female prisoners were classified as Medium security prisoners.

PRISONERS - FEMALE WITH CHILDREN

25. Mr P. Papalia to the Attorney General

- (1) As at 1 November 2008, how many women in Western Australian prisons have children?
- (2) As at 1 November 2008, how many children of these women are in the care and protection of the State?
- (3) As at 1 November 2008, how many children are accommodated with their mothers within Western Australian prisons?

Mr C.C. PORTER replied:

- (1) The Department does not collect this data.
- (2) The Department does not receive information in relation to prisoner's children who have been placed under the care and protection of the State. This information may be available from the Department for Child Protection.
- (3) As at 1 November 2008 nine (9) children were accommodated with their mother within Western Australian Prisons.

PRISONER POPULATION - PROJECTED INCREASES DUE TO TRUTH-IN-SENTENCING LEGISLATION

26. Mr P. Papalia to the Minister for Corrective Services

- (1) What are the projected increases in prisoner population expected to be over the next five years as a result of amendments to the truth in sentencing legislation?
- (2) What are the projected increases in prisoner population expected to be over the next five years as a result of the introduction of mandatory sentencing?
- (3) How many prisoners can be held in Western Australian prisons according to maximum capacity measures?

Mr C.C. PORTER replied:

- (1) Department of Corrective Services modelling has estimated that the Repeal of the Transition Provisions is likely to increase the daily average prisoner population in the next five years by 604.

- (2) The Department of Corrective Services estimates that mandatory sentencing for assaults on police officers is likely to increase the daily average prisoner population in the next five years by 9.
- (3) Adult prisons in Western Australian currently have a design capacity of 3315 beds. Suitable cells have been modified to accommodate up to 4100 beds in an emergency.

PRISONERS - INCARCERATION COST PER DAY

27. Mr P. Papalia to the Attorney General

- (1) As at 1 November 2008, what was the per prisoner per day cost at each Western Australian prison?
- (2) What exact costs are included in calculating per prisoner per day cost?

Mr C.C. PORTER replied:

- (1) The per prisoner per day cost for each Western Australian prison in 2007/08 was as follows:

Prison	Cost	Daily Average Population
Acacia	\$187.15	779
Bandyup	\$332.09	177
Boronia	\$394.08	55
Casuarina	\$301.61	577
Hakea	\$270.00	741
Karnet	\$231.92	192
Wooroloo	\$226.31	232
Albany	\$310.90	223
Broome	\$285.52	139
Bunbury	\$306.96	201
EGRP	\$417.83	102
Greenough	\$274.24	227
Roebourne	\$401.59	158

- (2) The per prisoner cost is derived from the Department's Total Cost of Services. The Total Cost of Services includes the following cost categories:

Employee Benefits Expense
 Superannuation
 Grants and Subsidies
 Accommodation
 Depreciation and Amortisation
 State Taxes
 Loss on disposal on non-current assets; and other expenses

TUDOR LODGE, MT LAWLEY - VALUATION AND POSSIBLE SALE

39. Mr J.N. Hyde to the Minister representing the Minister for Child Protection

In relation to the Government-owned Tudor Lodge in Mt Lawley, I ask:

- (1) What is the most recent valuation of this long-empty property?
- (2) Does the minority Liberal Government support the previous Government's decision to sell this asset?
- (3) If yes to (2):
- (a) when will it be sold off;
- (b) who will it be sold to; and
- (c) will the proceeds of the sale of Tudor Lodge be reinvested in the inner-city?
- (4) If no to (2):
- (a) why does minority Liberal Government refuse to sell off this asset; and
- (b) what does the minority Liberal Government intend on doing with this asset?

Dr G.G. JACOBS replied:

- (1) Market value \$1,220,000 as at 01-07-07
- (2) Yes
- (3)
 - (a) Estimated before July 2009
 - (b) It will be offered to sale by public tender
 - (c) Yes
- (4) Not Applicable

CHUNG WAH ASSOCIATION - 100 YEAR ANNIVERSARY

40. Mr J.N. Hyde to the Minister for Citizenship and Multicultural Interests

- (1) Which initiatives of the previous Government to assist the Chung Wah Association (and the Chinese community in Western Australia) celebrate its 100th anniversary will the Minister support?
- (2) What new funding commitments has the Minister made to assist the Chung Wah Association celebrate its 100th anniversary?
- (3) What new funding commitments will the Minister make to assist the Chung Wah Association celebrate its 100th anniversary?

Mr G.M. CASTRILLI replied:

- (1) No formal commitments were made by the previous Government to assist the Chung Wah Association celebrate its 100th anniversary in 2009.
- (2) No funding commitments have been made.
- (3) I have asked my portfolio Office of Multicultural Interests (OMI) to meet with the Chung Wah Association to explore ways the State Government can assist the Association during its 100th Anniversary. This will include encouraging the Association to submit an application for funding under OMI's Community Grants Program.

MINING APPLICATION BY MOLY MINES - PROCESSING DELAY

54. Mr T.G. Stephens to the Minister representing the Minister for Mines and Petroleum

- (1) Will the Premier advise what has caused the delays in processing the application for mining near Marble Bar by Moly Mines?
- (2) What specific steps will the Premier take to ensure that these delays are reduced and the time-line for the consideration of this and similar mining applications is streamlined?

Dr K.D. HAMES replied:

- (1) On 9 October 2006, the Environmental Protection Authority set the level of assessment for the Spinifex Ridge Molybdenum open cut mining project as a Public Environmental Review.

This proposed project was complex, and numerous studies were conducted to address and resolve key environmental issues.

On 30 January 2008, Moly Mines Limited lodged its Mining Proposal for the Spinifex Ridge Molybdenum open cut mining project with the Department of Industry and Resources for approval under the Mining Act 1978.

The Department of Industry and Resources was not able to approve the Mining Proposal until the Minister for the Environment had issued the final environmental conditions of approval for the Spinifex Ridge Molybdenum open cut mining project.

On 5 August 2008, the Minister for the Environment issued the final environmental conditions for the Spinifex Ridge Molybdenum open cut mining project, based on the Environmental Protection Authority's Public Environmental Review recommendations.

During the period since January 2008, Aboriginal sites were identified within the Mining Proposal areas, which resulted in Moly Mines Limited amending its Mining Proposal.

On 18 August 2008, Moly Mines Limited lodged with the Department of Industry and Resources an amended Mining Proposal to account for the Aboriginal sites within the proposed mining area.

On 4 September 2008, the Department of Industry and Resources approved the amended Mining Proposal. This approval enables Moly Mines Limited to proceed with that part of its original Mining Proposal not affected by the Aboriginal sites.

On 26 November 2008, the Department of Industry and Resources received advice from Moly Mines Limited that the Minister for Indigenous Affairs had granted conditional approval for use of the area affected by the Aboriginal sites. This conditional approval was granted under Section 18(3) of the Aboriginal Heritage Act 1972.

The Department of Industry and Resources will now discuss with Moly Mines Limited the progression of the Mining Proposal.

- (2) The Government has established a Ministerial Taskforce to review and streamline the tardy approvals process across government left in place by the previous government.

On 14 November 2008, the Minister for Mines and Petroleum announced the establishment of an Industry Working Group to advise on ways to streamline the State's process for exploration and development approvals. The Industry Working Group first met on 21 November 2008.

SOUTH HEDLAND - GOVERNMENT EMPLOYEE HOUSING

55. Mr T.G. Stephens to the Minister for Housing and Works

- (1) Will the Minister for Regional Development list in full detail the funds allocated in the 2008-2009 budget year, and in the forward estimates out-years for the Department of Housing and Works' program to provide new government employee housing in South Hedland?

Mr T.R. BUSWELL replied:

- (1) Under existing budget commitments the Department of Housing and Works, through its business unit Government Regional Officers' Housing (GROH) will complete 11 new properties in South Hedland during the 2008/09 financial year, representing an investment by Government of \$2.766 million. Figures for next financial year are still to be announced.

In addition, the Department anticipates spending approximately \$1 million on major refurbishment of existing GROH properties in South Hedland in the 2008/09 financial year. A refurbishment program for 2009/10 is currently being finalised.

There are a total of 288 GROH properties (owned and leased) in South Hedland, which is amongst the highest concentration of government employees' housing in the State.

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

78. Mr E.S. Ripper to the Deputy Premier; Minister for Health; Indigenous Affairs

- (1) Will the Minister indicate for each staff member working in his ministerial office including staff on secondment, placement or attachment to the office;
- (a) name;
 - (b) level;
 - (c) salary band for employee; and
 - (d) type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- (a) the make and model of each vehicle;
 - (b) the names of staff to which each vehicle is allocated; and
 - (c) the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- (a) the names of staff to which the credit cards have been allocated; and
 - (b) credit card limits on each credit card?

Dr K.D. HAMES replied:

(1-3b) [See paper No 493.]

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

84. Mr E.S. Ripper to the Minister for Police; Emergency Services; Road Safety

- (1) Will the Minister indicate for each staff member working in his ministerial office, including staff on secondment, placement or attachment to the office;
- (a) name;
 - (b) level;

- (c) salary band for employee; and
 - (d) type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- (a) the make and model of each vehicle;
 - (b) the names of staff to which each vehicle is allocated; and
 - (c) the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- (a) the names of staff to which the credit cards have been allocated; and
 - (b) credit card limits on each credit card?

Mr R.F. JOHNSON replied:

(1-3b) [See paper No 494.]

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

88. Mr E.S. Ripper to the Attorney General; Minister for Corrective Services

- (1) Will the Minister indicate for each staff member working in his ministerial office, including staff on secondment, placement or attachment to the office;
- (a) name;
 - (b) level;
 - (c) salary band for employee; and
 - (d) type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- (a) the make and model of each vehicle;
 - (b) the names of staff to which each vehicle is allocated; and
 - (c) the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- (a) the names of staff to which the credit cards have been allocated; and
 - (b) credit card limits on each credit card?

Mr C.C. PORTER replied:

(1-3b) [See paper No 495.]

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

89. Mr E.S. Ripper to the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering

- (1) Will the Minister indicate for each staff member working in her ministerial office, including staff on secondment, placement or attachment to the office;
- (a) name;
 - (b) level;
 - (c) salary band for employee; and
 - (d) type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- (a) the make and model of each vehicle;
 - (b) the names of staff to which each vehicle is allocated; and
 - (c) the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- (a) the names of staff to which the credit cards have been allocated; and
 - (b) credit card limits on each credit card?

Dr G.G. JACOBS replied:

(1-3b) [See paper No 496.]

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

90. Mr E.S. Ripper to the Minister for Water; Mental Health

- (1) Will the Minister indicate for each staff member working in his ministerial office, including staff on secondment, placement or attachment to the office;
- name;
 - level;
 - salary band for employee; and
 - type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- the make and model of each vehicle;
 - the names of staff to which each vehicle is allocated; and
 - the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- the names of staff to which the credit cards have been allocated; and
 - credit card limits on each credit card?

Dr G.G. JACOBS replied:

(1-3b) [See paper No 497.]

MINISTERIAL OFFICES - STAFF, VEHICLES AND CREDIT CARDS

91. Mr E.S. Ripper to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

- (1) Will the Minister indicate for each staff member working in his ministerial office, including staff on secondment, placement or attachment to the office;
- name;
 - level;
 - salary band for employee; and
 - type of employment contract?
- (2) Will the Minister indicate how many vehicles have been allocated to the office; and
- the make and model of each vehicle;
 - the names of staff to which each vehicle is allocated; and
 - the name of the scheme to which each vehicle has been allocated?
- (3) Will the Minister indicate how many Government credit cards have been allocated to the office; and
- the names of staff to which the credit cards have been allocated; and
 - credit card limits on each credit card?

Mr G.M. CASTRILLI replied:

(1-3b)

POSITION	OCCUPANT	FTE	CURRENT PAY LEVEL	EMP STATUS	MOTOR VEHICLE TYPE/CYLINDER	MOTOR VEHICLE SCHEME	CREDIT CARD LIMIT
Chief of Staff	Brennan, Gary	1	L9	S68 Contract	Mazda 6	SVOS	\$10,000
Principal Policy Adviser	Vacant	1					
Media Adviser	Hallett, Graeme	1	SMA2 Level 6.4 + \$20,000	S68 Contract	Toyota Camry	GVS	\$5,000

Executive Officer	Grealish, Mel	1	L5	S68 Contract			\$20,000
Liaison Officer	Stolp, Gordana	0.6	A/L4	Part time - Permanent Officer			\$20,000
Appointments Secretary	Douglas, Janeice	1	L3	S68 Contract			
Reception / Admin Assistant	Patrice Clifford	1	L2	Temporary Officer			
Reception / Admin Assistant	Cook, Lisa	1	L2	S68 Contract			
Policy Adviser	Gomes, Walter	1	L7	Placement			
Liaison Officer	Thompson, Bob	1	L5	Placement			
				Shared Home Garaging	Subaru Impreza	HG	

MINISTERIAL OFFICES - STAFF MOBILE PHONES

101. Mr E.S. Ripper to the Deputy Premier; Minister for Health; Indigenous Affairs

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- what is the total number of mobile phones available to the office;
- what is the name and position of each person to whom a mobile phone has been allocated;
- what is the model and make of each mobile phone allocated; and
- what is the total cost for mobile phone expenditure since 23 September 2008?

Dr K.D. HAMES replied:

- [See paper No 498.]
- Please refer to question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

102. Mr E.S. Ripper to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- what is the total number of mobile phones available to the office;
- what is the name and position of each person to whom a mobile phone has been allocated;
- what is the model and make of each mobile phone allocated; and
- what is the total cost for mobile phone expenditure since 23 September 2008?

Dr K.D. HAMES replied:

- See table below.

POSITION	OCCUPANT	EQUIPMENT ISSUED
Chief of Staff	Whittington, Trevor	Mobile Phone - Blackberry
Media Adviser	Duffy, John	Mobile Phone - Blackberry
Principal Policy Advisor - Mines & Petroleum	Stevens, Bob	Mobile Phone - Nokia 3120
Principal Policy Advisor - Fisheries	Pagano, Mark	Mobile Phone - Nokia 3120
	TOTAL Mobile Phones:	4

- Please refer to question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

104. Mr E.S. Ripper to the Minister for Education; Tourism; Women's Interests

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Dr E. CONSTABLE replied:

a. 3

b. Mr Tony Rutherford, Chief of Staff; Ms Margaret Harper; Principal Policy Adviser; Mr Kent Acott, Media Adviser

c. 2 x Nokia E51; 1 x LG LP GAJM

d. Please refer to question on notice 100

MINISTERIAL OFFICES - STAFF MOBILE PHONES

106. Mr E.S. Ripper to the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Mr T.R. BUSWELL replied:

(a)-(c) [See paper No 499.]

(d) Please refer to question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

107. Mr E.S. Ripper to the Minister for Police; Emergency Services; Road Safety

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Mr R.F. JOHNSON replied:

(a) 3

(b) Chief of Staff, Richard Lange
Principal Policy Adviser, Shane Hart
Media Adviser, Trevor Robb

(c) Mobile Phone Nokia E51
Mobile Phone Nokia E51
Mobile Phone HTC Diamond Blackberry

(d) Please refer to question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

111. Mr E.S. Ripper to the Attorney General; Minister for Corrective Services

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Mr C.C. PORTER replied:

- (a) 2
- (b) Damian Creedon, Chief of Staff
Aimee Jones, Media Advisor
- (c) Damian Creedon - Blackberry, Bold
Aimee Jones - Blackberry, Pearl
- (d) Please refer to question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

112. Mr E.S. Ripper to the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Dr G.G. JACOBS replied:

- (a) 3
- (b)-(c) Kevin Humfrey, Chief of Staff and Judy Tennant, Principal Policy Adviser both have Mobile phone Nokia 6233; Nikky Finch-Brock, Media Adviser has Nokia Mobile phone 6210
- (d) Please refer to Question on Notice 100

MINISTERIAL OFFICES - STAFF MOBILE PHONES

113. Mr E.S. Ripper to the Minister for Water; Mental Health

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Dr G.G. JACOBS replied:

- (a)-(c) [See paper No 500.]
- (d) Please refer to Legislative Assembly question on notice 100.

MINISTERIAL OFFICES - STAFF MOBILE PHONES

114. Mr E.S. Ripper to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

In respect of the Minister's Office including staff on secondment, placement and attachment to the office:

- (a) what is the total number of mobile phones available to the office;
- (b) what is the name and position of each person to whom a mobile phone has been allocated;
- (c) what is the model and make of each mobile phone allocated; and
- (d) what is the total cost for mobile phone expenditure since 23 September 2008?

Mr G.M. CASTRILLI replied:

(a)-(c)

POSITION	OCCUPANT	MOBILE PHONE ISSUED
Chief of Staff	Brennan, Gary	I-mate Jasjam
Media Adviser	Hallett, Graeme	Blackberry 9000
Executive Officer	Grealish, Mel	LG TU550
Appointments Secretary	Douglas, Janeice	Nokia 6120

Policy Adviser	Gomes, Walter	Nokia 6120
Liaison Officer	Thompson, Bob	Nokia 3120
	Total mobile phones:	6

(d) Please refer to question on notice 100.

PUBLIC HOUSING IN WESTERN SUBURBS - OCCUPATION BY PENSIONERS

118. Mr M. McGowan to the Minister for Housing and Works

I refer to the Minister's intention to identify 'high value' public housing properties suitable for sale so as to "...provide a greater amount of accommodation in more sustainable, but less expensive, suburbs" and ask:

- (a) how many people on the Age Pension are currently accommodated in public housing in the following suburbs;
- Claremont;
 - Cottesloe;
 - Dalkeith ;
 - Nedlands;
 - Peppermint Grove;
 - Shenton Park; and
 - Swanbourne;
 - Subiaco;
- (b) how many people on a Disability Support Pension are currently accommodated in public housing in the following suburbs;
- Claremont;
 - Cottesloe;
 - Dalkeith ;
 - Nedlands;
 - Peppermint Grove;
 - Shenton Park;
 - Swanbourne; and
 - Subiaco;
- (c) how many people on a Service Pension are currently accommodated in public housing in the following suburbs;
- Claremont;
 - Cottesloe;
 - Dalkeith;
 - Nedlands;
 - Peppermint Grove;
 - Shenton Park;
 - Swanbourne; and
 - Subiaco;
- (d)-(e) can the Minister identify which suburbs he classifies as "more sustainable but less expensive"; and will the Minister confirm that medical facilities, educational facilities and transport networks in these "more sustainable but less expensive suburbs" will be identical as those found close in the 'high value' Western suburbs properties?

Mr T.R. BUSWELL replied:

- (a) Claremont - 36;
Cottesloe - 0;
Dalkeith - 0;
Nedlands - 0;
Peppermint Grove - 0
Shenton Park - 59;
Swanbourne - 0; and
Subiaco - 135;
- (b) Claremont - 31;
Cottesloe - 0;
Dalkeith - 0;
Nedlands - 0;

- Peppermint Grove - 0;
Shenton Park - 17;
Swanbourne - 2; and
Subiaco - 98;
- (c) Claremont - 1;
Cottesloe - 0;
Dalkeith - 0;
Nedlands - 0
Peppermint Grove - 0;
Shenton Park - 14;
Swanbourne - 0; and
Subiaco - 4;
- (d) The high value properties currently being assessed for sale are those whose estimated value is significantly more than the median house price for Perth. Any decision on the disposal will also take into account the existing use of the accommodation. These properties may not necessarily be located in the Western Suburbs of Perth. No particular suburbs are being targeted.
- (e) The Department will continue its efforts to ensure all new acquisitions are in locations that have appropriate access to facilities and transport.

FIRST START SHARED EQUITY SCHEME - NEW ELIGIBILITY CRITERIA

120. Mr M. McGowan to the Minister for Housing and Works

I refer to recent changes to the State Government's First Start Shared Equity Scheme programme and ask:

- (a) how many applications for the First Start Shared Equity Scheme were suspended by the Department of Housing and Works in September;
- (b) how many of those applications have been resubmitted under the new criteria established by the Liberal-National Government;
- (c) how many applications for the First Start Shared Equity Scheme have been submitted since the scheme was reconstituted under the State Government's new eligibility criteria on 16 October 2008;
- (d) how many applications for the First Start Shared Equity Scheme have been rejected since the scheme was reconstituted under the State Government's new eligibility criteria on 16 October 2008; and
- (e) will the Minister commit to maintaining the First Start Shared Equity Scheme beyond the end of the 2008-2009 financial year?

Mr T.R. BUSWELL replied:

- (a) 449.
- (b) 163 of those applications have been assessed as being eligible to apply and are preparing applications.
- (c) In addition to the above 163 applicants, 592 applicants have qualified under the revised First Start criteria and are eligible to apply. Loan applications are being forwarded to these applicants. To date, 23 have returned their forms and these are being assessed.
- (d) Three applications have been declined.
- (e) A review is underway to determine the future of the First Start shared equity scheme and will be completed in time for the 2009/10 budget process.

GOVERNMENT DEPARTMENTS - FEMALE TO MALE STAFF RATIO

135. Mr E.S. Ripper to the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering

- (1) Will the Minister please advise for each of the Departments or agencies under the control of the Minister;
- (a) how many females are currently ranked at Class 1 and above? (for each class please specify);
- (b) what is the percentage of female staff at Class 1 and above (for each Class please specify); and
- (c) how many males are currently ranked at Class 1 and above? (for each class please specify)?
- (2) For those persons currently employed in your Ministerial office please advise;
- (a) the number of female staff employed, including those on placement, secondment and attachment; and
- (b) the name, position, and contract type of each female staff member?

Dr G.G. JACOBS replied:

The Department for Child Protection

- (1) (a) 3 females are currently ranked at Class 1 and above. 1 x Class 1 ; 2 x Class 2
- (b) Class 1, 33% ; Class 2, 67%
- (c) 2 x Class 1 ; 1 x Class 2 ; 1 x Group 3 Max.

The Department for Communities

- (1) (a) 4 females are currently ranked at Class 1 and above. 1 x substantive Group 2 Max ; 3 x Class 1 (all acting).
- (b) 67%
- (c) 2 males are currently ranked at Class 1 and above, both of whom are Class 1 (acting.)
- (2) (a) As at 12 November 2008, 7 women are employed in the Ministerial Office.
- (b) Please refer to Question on Notice 89

POLICING FACILITY — BRRINGURRAH ABORIGINAL COMMUNITY

145. Mr V.A. Catania to the Minister for Police

- (1) Is the Minister aware that the previous Labor Government included in its 2008-2009 budget \$5.413 million for a Remote Multifunction Policing Facility at Burringurrah Aboriginal Community?
- (2) Is it the Minister's intention to proceed with this facility at Burringurrah Aboriginal community?
- (3) If so, at what stage is the planning for this project, when will construction commence and when will it be completed?

Mr R.F. JOHNSON replied:

- (1) Yes.
- (2) Yes.
- (3) Construction of the transportable buildings is well progressed. The State Solicitor's Office and WA Police are negotiating with the traditional land claimants and their representative body (Yamatji Land and Sea Council) in regards to an Indigenous Land Use Agreement, prior to the placement of the Multifunctional Police Facility and associated Government Regional Officers Housing within the Burringurrah Aboriginal Community. It is anticipated the project will be completed in the second half of 2009.

MT MAGNET POLICE STATION - REPLACEMENT

146. Mr V.A. Catania to the Minister for Police

- (1) Is the Minister aware that the Mt Magnet Police Station was listed for replacement in the Western Australia Police's 15-year Strategic Accommodation Plan and the 10-year Capital Investment Plan?
- (2) Is the Minister also aware that there is only 1 compliant cell in the lock-up available at the Mt Magnet Police Station?
- (3) Has the planning for the new \$4.69 million Police Station been completed?
- (4) When will construction of the new \$4.69 million Police Station commence and when will it be completed?

Mr R.F. JOHNSON replied:

- (1) Yes.
- (2) Yes.
- (3) The Mt Magnet Police Station project is a high priority for this Government and WA Police. This project is under consideration for funding as part of the Government's election commitments to construct new police facilities in a \$24 million plan across WA, including regional areas.
- (4) Refer to Question 3.

TELECOMMUNICATIONS QUESTIONNAIRE - NON-TABLING BY WESTERN AUSTRALIA POLICE

158. Mr J.N. Hyde to the Minister for Police

- (1) Why has the Western Australia Police not yet met its obligation to table in Parliament its Telecommunications (Interception and Access) Act 1979 – Annual report – Agency Questionnaire – year ending 30 June 2008?

Mr R.F. JOHNSON replied:

In accordance with the provisions of the Telecommunications (Interception and Access) Act 1979 (Commonwealth) and the Telecommunications (Interception) Western Australia Act 1996, an annual report on interceptions conducted by Western Australia Police for the reporting year June 2008 was provided to the Federal Attorney General's Department by the Minister for Police.

To enable the Commonwealth Minister to prepare an annual report on interceptions conducted by all agencies in Australia, the relevant statistics in the form of a completed questionnaire were forwarded to the Federal Attorney General's Department on 8 August 2008.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

185. Mr B.S. Wyatt to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Dr K.D. HAMES replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

187. Mr B.S. Wyatt to the Minister for Education; Tourism; Women's Interests

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Dr E. CONSTABLE replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

189. Mr B.S. Wyatt to the Treasurer; Minister for Commerce; Science and Innovation; Housing and Works

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Mr T.R. BUSWELL replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

190. Mr B.S. Wyatt to the Minister for Police; Emergency Services; Road Safety

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Mr R.F. JOHNSON replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

194. Mr B.S. Wyatt to the Attorney General; Minister for Corrective Services

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Mr C.C. PORTER replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

195. Mr B.S. Wyatt to the Minister representing the Minister for Child Protection; Community Services; Seniors and Volunteering

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Dr G.G. JACOBS replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

197. Mr B.S. Wyatt to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Mr G.M. CASTRILLI replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

WESTERN AUSTRALIAN GOVERNMENT LOGO - REPLACEMENT

198. Mr B.S. Wyatt to the Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education

I refer to the Government's decision to replace the Western Australian Government logo with the formal coat of arms and ask, can the Minister please list for each Department and Agency under their control:

- (a) what products will require replacement following the decision to replace the Western Australian Government logo with the formal coat of arms;
- (b) what is the total cost to date of replacing the current logo with a formal coat of arms for each Department and Agency under the control of the Minister;
- (c) what is the projected total cost of replacing the current logo with a formal coat of arms once replacement has been completed for each Department and Agency under the control of the Minister;
- (d) will departments and agencies within your portfolios destroy current stocks of stationery featuring the previous logo;
- (e) if so, what is the volume of stationery to be destroyed; and
- (f) what is the value of this stationery?

Mr D.T. REDMAN replied:

- (a)-(f) I refer the Member to Premiers Circular 2008/13 entitled "Use of WA State Government badge by public sector agencies" which explains the operation of the new policy. The central aim of the policy is to approach the replacement of items bearing the common badge from a cost conscious perspective with existing stocks depleted before re-ordering and other items replaced as and when required.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

201. Mr B.S. Wyatt to the Deputy Premier; Minister for Health; Indigenous Affairs

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
 - (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
 - (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
 - (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Dr K.D. HAMES replied:

- (a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 501.]

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.
- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) Nil
 - (i) Not Applicable
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

202. Mr B.S. Wyatt to the Minister representing the Minister for Mines and Petroleum; Fisheries; Electoral Affairs

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
 - (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (1) (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
 - (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
 - (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Dr K.D. HAMES replied:

- (a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in the attached report. [See paper No 502.]
Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.
Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.
- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) (i) Nil.
(ii) Not applicable.
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

204. Mr B.S. Wyatt to the Minister for Education; Tourism; Women's Interests

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
 - (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
 - (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
 - (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and

(e) if so, how many further staff members are anticipated to be employed?

Dr E. CONSTABLE replied:

(a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 503.]

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.

(b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.

Ministerial office advises as at Tuesday 25 November 2008

(c) Nil

(i) Not applicable

(d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

205. Mr B.S. Wyatt to the Minister representing the Minister for Transport; Disability Services

Will the Minister please advise for each staff member employed in the Minister's office:

(a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);

(i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;

(b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;

(i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;

(c) are any staff members related to the Minister;

(i) if so, please detail which staff member and the nature of the relationship with the Minister;

(d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and

(e) if so, how many further staff members are anticipated to be employed?

Mr B.J. GRYLLS replied:

(a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 504.]

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.

(b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.

(c) Yes, 1 staff member:

(i) Executive Officer, Nichol Kabugua - by marriage - Minister's wife's niece.

- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

207. Mr B.S. Wyatt to the Minister for Police; Emergency Services; Road Safety

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
- (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
- (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
- (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Mr R.F. JOHNSON replied:

- (a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 505.]
Please refer to question on notice 84 and 107
Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.
Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.
- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) Nil
- (i) Not applicable
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

208. Mr B.S. Wyatt to the Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
- (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
- (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;

- (c) are any staff members related to the Minister;
- (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Mr T.K. WALDRON replied:

- (a) (i)

Name	Position	Credit Card Limit	Equipment Issued
Steve Manchee	Chief of Staff	\$10,000	Nokia E51
Paul Jarvis	Media Adviser		HTC Touch Dual
Michael Cutler	Policy Adviser		Nokia E51
Jon Nichols	Policy Adviser		Nokia 6120 (SIM Card provided by RWWA)
Sue Lothian	Executive Officer	\$30,000	

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament

- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) Nil.
- (i) Not applicable.
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

211. Mr B.S. Wyatt to the Attorney General; Minister for Corrective Services

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
- (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
- (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
- (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Mr C.C. PORTER replied:

- (a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 506.]

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.

- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) Ministerial office advises that as at Tuesday 25 November 2008: None
 - (i) Not applicable
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

MINISTERIAL OFFICES - STAFF ENTITLEMENTS AND CONDITIONS

214. Mr B.S. Wyatt to the Minister for Local Government; Heritage; Citizenship and Multicultural Interests

Will the Minister please advise for each staff member employed in the Minister's office:

- (a) which staff members receive entitlements (including; travel, computer, laptop, fax, pager or credit card entitlements);
 - (i) name of staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (b) is any staff member, currently working for the Minister, receiving any other entitlements including hotel and relocation expenses;
 - (i) if so, please detail staff member, position, entitlement, date entitlement assigned, monetary value associated with entitlement;
- (c) are any staff members related to the Minister;
 - (i) if so, please detail which staff member and the nature of the relationship with the Minister;
- (d) as at 25 November 2008, does the Minister anticipate employing, whether directly or by way of secondment, any further staff members in the Ministerial Office; and
- (e) if so, how many further staff members are anticipated to be employed?

Mr G.M. CASTRILLI replied:

- (a) (i) Details of mobile phones and credit cards provided to staff as at 30 October 2008 is provided in attached report. [See paper No 507.]

Pagers are issued infrequently. Computers and faxes are provided as required for business purposes.

Travel is undertaken as required for business purposes and is not regarded as a benefit or entitlement. Interstate and international travel is reported in quarterly Reports of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business, which are tabled in Parliament.
- (b) (i) Officers recruited by the Department of the Premier and Cabinet are able to negotiate assistance with relocation expenses in accordance with departmental guidelines on a case by case basis. Such assistance can extend to payment for the uplift of household furniture, subject to a competitive process by removalists, airfares for the employee and dependents and accommodation for the employee and dependents for an initial settling in period.
- (c) Nil
 - (i) Not applicable
- (d)-(e) Subject to operational requirements ministerial staff may be employed during the course of the term of the government.

POLICE (MEDICAL AND OTHER EXPENSES FOR FORMER OFFICERS) BILL - DRAFTING OF REGULATIONS

298. Ms M.M. Quirk to the Minister for Commerce

- (1) Can the Minister advise what steps have been taken to expedite the drafting of regulations under the Police (Medical and other expenses for former officers) Bill (“the Bill”)?
- (2) Has any preparatory work been undertaken by the Workers Dispute Resolution Directorate of Workcover?
- (3) If so, what are the details of the preparatory work?
- (4) Once the Bill is passed in the legislative Council, how soon thereafter can it be anticipated that the regulations will be drafted and gazetted?

Mr T.R. BUSWELL replied:

- (1) This is a matter for the Minister for Police to answer.
 - (2) Preliminary discussions have occurred between WorkCover WA and WA Police on the Bill.
 - (3) See 2 above.
 - (4) This is a matter for the Minister for Police to answer..
-