



WESTERN AUSTRALIA

# Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT  
FIRST SESSION  
1997

LEGISLATIVE ASSEMBLY

Wednesday, 28 May 1997

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**THE SPEAKER** (Mr Strickland) took the Chair at 11.00 am, and read prayers.

### STATEMENT - MINISTER FOR EDUCATION

**MR BARNETT** (Cottesloe - Minister for Education) [11.02 am]: I wish to inform the House of the State Government's plans to reform the management and planning of the government school system.

Since 1993, the Government has embarked upon a steady program of improvement of our education system with significant initiatives such as the implementation of the early childhood education program, curriculum reform and the revision of the outdated Education Act.

The next steps are to focus the management and planning of schools at the local level by realigning the district and central services which support government schools and establishing a local area education planning framework. District boundaries will be redrawn to create 16 districts - four metropolitan, two outer metropolitan and 10 country - in place of the current 29 districts. Twenty-one district directors of schools will be appointed in place of the present 29 district superintendents. The roles and responsibilities of the directors will be significantly greater than those of the existing superintendents as the emphasis on planning and management of education is shifted from the Education Department's central office to the districts.

This will result in the movement of both human and financial resources from central office to a smaller number of more effective district offices. Some staff may take the opportunity of accepting a voluntary redundancy package. Following further consultation with staff and unions, up to 170 packages will be offered. A smaller, more focused central office will concentrate on strategic planning, the development of system-wide policy, the redeployment of major resources and the provision of professional leadership. I expect the changes to district and central office services to be in place from the beginning of 1998.

Each of Western Australia's 770 government schools has particular support and service requirements. Providing more focused and accessible services closer to schools and students at the district level will allow for greater flexibility and ensure the system is more responsive to local needs.

Similarly, locally-based planning of the organisation of schools will more effectively meet the needs of our students and the expectations of the wider community. The development and implementation of a local area education planning framework will involve the school and local communities and be the responsibility of the new district directors. Local area education planning will enhance educational opportunities for all students by focusing on groups of schools in an area rather than individual schools. Subjects offered and facilities and resources available to students in a local area will be examined. Where students' access to curriculum, quality facilities and specialist teachers can be improved and resources can be used more efficiently, alternative organisational plans of the schools in the area will be developed.

It is anticipated that this process will lead to the reorganisation of some primary and secondary schools and some closures are possible. However, it is important to note that there will be no centrally developed list of schools for closure. Rather, options for reorganisation will be developed locally with the involvement of the local community.

A draft framework for local area education planning will be released for public comment today. Local area education planning for all secondary schools in the metropolitan area, Albany, Esperance, Kalgoorlie and Mandurah should be completed by the end of this year. Planning for the remainder of schools should be completed by mid-1998. These changes will result in a more flexible, responsive and efficient government school system which will better meet the future needs of children and their parents. A detailed information kit is available for all members of Parliament and detailed briefings will be available for opposition and Independent members.

### STATEMENT - SPEAKER

*Television Coverage of Debate*

**THE SPEAKER** (Mr Strickland): I have given approval to television stations to have access to the parliamentary television footage on the motion on Aboriginal lost children to be moved later today by the Leader of the Opposition.

### PETITION - JOONDALUP CINEMA COMPLEX

**MR BAKER** (Joondalup) [11.06 am]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We, the undersigned, hereby respectfully request that the Government of Western Australia honours its long term commitment to support the construction of a cinema complex as part of the Lakeside Joondalup Shopping City development.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 2 019 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 40.]

### **PETITION - TRANSPORT**

#### *Concessional Fares*

**MR McGOWAN** (Rockingham) [11.07 am]: I present the following petition -

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled.

We the undersigned, wish to register a complaint that the all day tickets cannot be purchased prior to 9:00 for travel on the buses. This will mean that people who have appointments in Perth, whether they be medical appointments or otherwise have to pay a lot more money than they would have to pay by using the all day fare. The same will apply for any commuters, including school children.

Public transport should be there to assist people not as a revenue raising excise.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 3 417 signatures and I certify that it conforms to the standing orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 41.]

### **BILLS (3) - INTRODUCTION AND FIRST READING**

1. Revenue Laws Amendment (Assessment) Bill.

2. Revenue Laws Amendment (Taxation) Bill.

Bills introduced, on motions by Mr Court (Treasurer), and read a first time.

3. Maritime Archaeology Amendment Bill.

Bill introduced, on motion by Mr Pental, and read a first time.

### **ABORIGINES - FAMILY SEPARATION**

#### *Standing Orders Suspension*

**DR GALLOP** (Victoria Park - Leader of the Opposition) [11.10 am]: I move, without notice -

That so much of the standing orders be suspended as would allow me to move a motion of apology for past policies under which Aboriginal children were removed from their families.

**MR BARNETT** (Cottesloe - Leader of the House) [11.11 am]: The Government agrees to the suspension of standing orders.

Question put and passed with an absolute majority.

#### *Motion*

**DR GALLOP** (Victoria Park - Leader of the Opposition) [11.12 am]: I move -

That this House apologises to the Aboriginal people on behalf of all Western Australians for the past policies under which Aboriginal children were removed from their families and expresses deep regret at the hurt and distress that this caused.

Let me start with the story of Paul. That is not his real name. The story was told in *The Age* newspaper of last Saturday. Paul was separated from his mother in 1964 when he was a baby. It was all done with the stroke of a pen and without his mother's knowledge. Her subsequent efforts to find her son were treated with contempt by the social welfare department in Victoria. Paul spent his growing up years in an appalling series of replacement breakdowns, cold institutions and cruel foster homes. When he was formally discharged from wardship at 18 years of age in 1982 he was given his file, which contained 368 pages of old letters, photographs and birthday cards. The last page of his file stated that he was a very intelligent, likeable boy who had made remarkable progress given the unfortunate treatment of his mother by the department during his childhood. Paul said the tears flowed when he read those words. They were tears from a mixture of relief at knowing about his past, of guilt and of anger about what had been done to him.

He then proceeded to seek out his mother. He travelled into the Victorian countryside and eventually found his mother, who was working in an Aboriginal hostel. In the next five years his mother was to give to him his identity, his culture and a sense of security, which is so important to all of us. When she died, he held her hand and said, "This is the second time I have lost you, mum." Many such stories could be told and have been told to the Human Rights and Equal Opportunity Commission.

Australia has just commemorated the thirtieth anniversary of the 1967 referendum, which created a commonwealth Aboriginal affairs power. That national referendum was supported by more than 90 per cent of the Australian people. Before that, indigenous people did not have the same rights enjoyed by other Australians and could not even be counted in the official census. However, that referendum was the starting point for reconciliation; a starting point for working towards equal rights for Aboriginal people. At the heart of this motion today is not just an apology to Aboriginal people for the past policies of removal of children from families as recommended by the stolen generations inquiry, but also a fundamental turning point in how we go forward with the process of reconciliation. I remind the House that just four weeks ago a motion on racial discrimination had bipartisan support in this House and included reaffirmation of our commitment to reconciliation. I do not pretend that addressing indigenous Australians' profound social and economic disadvantages is an easy issue for any Government or community to resolve. Nor do I pretend that achieving reconciliation will be easy or simple. However, I believe it should be a fundamental aim for Australia to work towards. Reconciliation requires an understanding that our history has shaped indigenous and non-indigenous relationships. For that reason I believe that recognition of and apologies for past wrongs is an essential step forward.

Let us be clear about the practices and policies that this motion addresses; that is, the forcible removal of children from their families due to their Aboriginality. Political parties on both sides of the political spectrum rightly acknowledge families as the cornerstone of our society. Our laws and policies are intended to strengthen and help families and keep them together. The rights of the family have applied to all Australian families. Aboriginal families, however, were torn apart by the very authorities that should have protected them.

The stolen generation report "Bringing them home" found that forcible separation of indigenous children occurred from the early days of European colonisation until the 1960s. This is not just an historical blemish on the early days of the colonies when many people, black and white, were treated harshly; it was also a deliberate policy that continued to more modern and supposedly more enlightened times. In colonial times children were kidnapped and exploited for their labour. By the late nineteenth century, government officials theorised that by removing indigenous children and sending them to work for non-indigenous people, the mixed population would eventually merge with the non-indigenous population.

The report "Bringing them home" describes what came next. It stated that protectionist legislation was used to order the removal of indigenous children without having to establish to a court's satisfaction that the child was neglected, as required under general child welfare legislation. Even when removal was governed by child welfare legislation, the criteria were applied more readily to indigenous children. Between 1910 and 1970, between 10 and 33 per cent of indigenous children were forcibly removed. Almost all indigenous families have been affected in one or more generations by the forced removal of one or more children. These are historical facts about the removal of Aboriginal children. Like many historical traumas, it has repercussions for today. Separation impacted on the children, and also on the parents and their wider families and the whole community. Many non-indigenous Australians might begin to understand how being separated from one's primary carer and being institutionalised can affect children. It leads to psychiatric disorders, damaged self-esteem, emotional disorder and maladjustment, deficits in intellectual and social development, and drug and alcohol abuse, to name a few. To add to the horror, many children also experienced physical and sexual exploitation and abuse in the homes and foster placements.

It is important that non-indigenous Australians come to terms with the dislocating effects that removal has had on the families and Aboriginal communities, and that removal has affected indigenous families through the generations.

The report states that when a child was permanently removed, the entire community lost the opportunity to perpetuate itself in that child.

We know how important identity is to people; how important it is to learn of our identity, our historical connections and our relationships through history if we are to be truly human. The fundamental right people have to establish their identity was taken away through an active policy throughout the States and Territories and the Commonwealth of Australia. That policy was based upon the premise that Aboriginality had no role to play in the Australian community. We now have the opportunity to tell Aboriginal people that they are part of our society, part of our history and part of our community, and that we apologise for the efforts made by earlier Governments to attempt to deny them that right.

The Prime Minister in his address to the Australian Reconciliation Conference on Monday seemed to promote the view that reconciliation required either commitment to the practical needs of Aboriginal health, housing, education and employment or symbolic gestures such as an apology. I do not see the two issues as mutually exclusive; rather that properly coming to terms with the past will make an important contribution to working towards dealing with the disadvantages facing many Aboriginal children and people today.

An apology may well be a symbolic gesture but symbolic gestures can be very powerful. Nor do we expect Australians to forget our non-indigenous history. Anzac day commemorations and the call "Lest we forget" is one example that would go to the hearts of most Australians. In turn, let us offer a similar dignity to indigenous Australians about their own history and its effect on our national history, by acknowledging the past forcible removal of Aboriginal children and offering our deepest apologies for what happened.

**MR COURT** (Nedlands - Premier) [11.22 am]: It is difficult for many people to understand the depth of emotion that Aboriginal families have felt for some time, and will continue to feel for some time, as a result of their families being forcibly separated. I can think of no more difficult issue for a family to come to grips with than having to cope with such an issue. One cannot ignore the past; one can try, but there is no point in trying to ignore the past, because it is important to learn from the past. There is now a growing acceptance in our community that some policies that were implemented by previous Governments have caused a great deal of pain, not only for one generation but for a number of future generations.

It is appropriate that today, in a formal way, the Parliament should apologise to the Aboriginal families that have been affected. Even more important than an apology is the fact that we have bipartisan support in this Parliament for this motion, and that we will debate it with a great deal of goodwill among members, and goodwill being extended to the Aboriginal families which have suffered considerable pain for some time. We have heard a lot of debate about the report on the separation of Aboriginal and Torres Strait Islander children from their families, and no doubt we will hear much debate in future about its recommendations, what should be accepted and what has been accepted. The report will have played its role if it has better informed Australians of the issue being addressed. I believe it has already been successful in that it has created an awareness in the community of a social issue that has caused pain to many Aboriginal families.

The report was made public last Monday night. It was commissioned in August 1995 by the then federal Attorney General, largely on the recommendations of the Commonwealth-State Ministerial Council for Aboriginal and Torres Strait Islander Affairs. The people responsible for the report have been travelling around the country and have received submissions from a wide range of individuals and organisations, and the States and Territories. I will not address the terms of reference. However, the report runs to 680 pages and contains 54 recommendations. No doubt we will find some common agreement on some of the recommendations and disagreement on others. I will not address the detail during this debate.

The majority of recommendations can be categorised into three headings: First, services for those affected by separation, including access to records and counselling; second, compensation and reparation for those separated, and their descendants and communities, including cash payments from a national fund; formal apologies from Parliaments, Police Forces, churches and others, and an annual national "sorry day"; and, third, commonwealth legislation to regulate state policies and practices on relevant matters, and to enable the transfer of jurisdiction to indigenous organisations as a form of self-government.

The State Government has already done a great deal in providing services to assist people to have better access to records and counselling. That matter was outlined in our submission to the inquiry. It goes without saying that there is an ongoing need to ensure we provide improved access to the justice system and an improved level of housing, health and education. Family and Children's Services and the Aboriginal Affairs Department, or their predecessors, have been running family tracing services since the mid-1980s. The Government has endeavoured to nurture and improve those services. To the best of my knowledge, they have been reasonably successful in providing records to assist many people to trace their family roots. Fortunately the records in many cases have been detailed. Programs

have been implemented for health, education and other services for Aboriginal children and adults. The Ministers responsible in those areas will comment further.

Compensation is a more complex issue, and a great deal has been said about it. The States and the Commonwealth have adopted a consistent position. We will wait until the High Court hands down its decision in Kruger. I do not know the detail of the case but when the decision is handed down it will be easier to undertake a proper consideration of the issues. I understand that the judgment is expected by August this year.

The third category is an emphasis on Aboriginal self-determination. Agreements under the Aboriginal Communities Act 1979 and other arrangements were put in place to try to improve self-government and management in many Aboriginal communities. Currently, new legislation is being drafted relating to increased Aboriginal involvement in government decision making. Similarly we are working through a process of providing more direct Aboriginal control to the large areas of land currently controlled by the Aboriginal Lands Trust.

Many other issues have arisen from the implementation of recommendations of the Royal Commission into Aboriginal Deaths in Custody and our own Aboriginal Social Justice Task Force. The point is that public awareness has increased with an understanding that many of the issues involved are complex. There is no better example of a social issue without a quick fix solution than the matter discussed in this motion today, as no quick fix can apply to a policy which separated families and caused disruption which could continue for many generations.

However, it is important that we develop an improved understanding and awareness of this matter because many social problems in the community have resulted from some actions taken often many decades ago. As a result of the task force report, the Government will establish immediately a working party comprising senior officers from the relevant agencies. In fact, the first meeting is next week. They will coordinate the consultation and responses on these matters by making sure that all responsible government agencies are involved.

The work of that body will be progressed in time for a commonwealth-state meeting of the Ministerial Council on Aboriginal and Torres Strait Islander Affairs to be held at York in early August. That national meeting will be chaired by the Minister for Aboriginal Affairs, Dr Hames. That time frame could well coincide with the ruling which will come down in the High Court on the Kruger judgment.

I reiterate what I said at the outset; that is, that the Western Australian Government certainly acknowledges the trauma caused by these policies in the past, however well intentioned they might have been at the time. Nevertheless, that does not take away the hurt and distress caused by those policies, many of which are now shown to be fundamentally flawed. Many people over many years have worked closely with Aboriginal people with very good intentions. It is often easy to concentrate on problems resulting from the fundamentally flawed policies, but we should never lose sight of the relatively small number of people who made huge and genuine efforts over the years to assist Aboriginal people, often in very remote parts of our State.

No simple answers to these issues exist, but this report has already achieved one of its most important goals; that is, to ensure Australians have a better understanding of these issues, particular the separation of families, which is felt very deeply through many sections of the Aboriginal community. I have pleasure in supporting this motion. Very importantly, the motion is moved with goodwill on both sides of this Parliament. We have a long way to go on these issues as many practical matters must be addressed not in a legalistic way, but in a practical way with a spirit of goodwill.

**MR HOUSE** (Stirling - Minister for Fisheries) [11.34 am]: I join the Leader of the Opposition and the Premier in extending, on behalf of my National Party colleagues, our apology to the lost generation of Aboriginal children. I extend that apology to the families, colleagues, relatives and communities affected by government policy of that day.

Like many of my country colleagues, I was raised in a small rural community which had a very large Aboriginal population - indeed, it still does today. In fact, 25 per cent of the children at the school I attended were Aborigines. Therefore, I think I can fairly say, like many of my country colleagues, I have a reasonably good understanding of the Aboriginal people, their culture, ideals and the hurt they felt from time to time as a result of a lack of consideration shown to them and the way they were treated and judged by their peers of that time. We have little to be pleased or proud about in that matter.

However, I shared some wonderful experiences with Aboriginal people. I not only went to school with them, but I worked and played sport with them. Some of those friendships and associations continue strongly today. It is fair to say that Aboriginal people have played a very important part in rural Australia since its white settlement a couple of hundred years ago. Views about that role differ, but importantly the general community feels that exploitation of Aboriginal people took place - which is true in many cases. However, it is also fair to say that many families and community members both associated with the land and in small country towns did not share in that exploitation and

treated Aboriginal people in a fair and equitable way. Such people may have been in the minority at the time, but it should be recorded that such treatment occurred.

Nothing that we do today can remove that hurt and lack of understanding shown by the government policy of the day. Nothing we do now by apologising will remove that pain of dislocation and the resulting ongoing problems. Nevertheless, as the Leader of the Opposition and the Premier said, it is time to look forward to tomorrow to ensure that those mistakes are not repeated. We must look forward in a positive way so we can be proud of our future. That manifests itself through simple things, such as making sure Aboriginal people have equality in educational, health and job opportunities. We must make certain that we listen to what Aboriginal people say and act on their requests as a Government and as a society.

Many Aboriginal success stories can be found around Western Australia and Australia generally. Although some of us want to think about Aboriginal people who from time to time commit offences, just as other members of our society offend, we must reflect on the fact that Aborigines are a kind and gentle people. I discovered that as a young community member in a small country town. The changes made to these people were imposed by us, not them. The problem inflicted on them today comes from our society's values and ideals, not their own. We must remember that these people still have that kind and gentle attitude to life.

Looking at the positive contribution Aborigines make to sport in our society, we enjoy their wonderful exploits in football and their sheer skill and ability. Many of us attend the football to witness those passages of magic. The football team in my home town of Gnowangerup won the premiership last year for the first time in 40 years, and 14 members of that team were Aboriginal. That is something of which we are very proud. It is time to reflect on the past, but also to look forward in a positive way and to listen to the Aboriginal people. As a Government, we must pay more than lip service to this motion and be sure we respond in a positive way.

I am sure all my country based and National Party colleagues and supporters would acknowledge and agree that as an organisation and a group of people we want to make a major contribution to that forward thinking and to the establishment of foundations and policies for the future.

**MR BRIDGE** (Kimberley) [11.41 am]: It is with a great deal of pride and satisfaction that I enter this debate this morning. That pride stems from the very articulate nature of the contributions made by previous speakers, and I observed their sincerity in making those comments.

This is a week during which we are invited to reflect upon two important events in the history of indigenous Australians: First, the 1967 referendum; and, secondly, in more recent times the 3 June anniversary of the late Eddie Mabo's challenge to the High Court. They were significant events in our nation's history with which we have been required to come to grips. No amount of emotion on an occasion like this should take over their significance, the sadness they have caused and the extent to which families today are still in the grip of that sadness.

Members need only consider the way in which those policies impacted upon those families at the time. It is correct to say that even in our present history dysfunctional aspects of lifestyle still exist. In a family structure, that is a massive difficulty and an awful impediment to overcome. In true family circles, the link, association and cohesiveness of the family is fundamental in the establishment of foundations for a meaningful future. The implementation of those policies ensured that the opportunity to create those foundations was denied to many families, and the resulting problems are apparent today. It is a major factor and a source of great sadness for the families affected by those policies.

Above all other things, Australia needs a group of individuals with a calm sense of purpose, a steady head and a coolness of attitude to deal with the current situation. As we look at the solutions which might be implemented and which we might influence in the future, we will rely heavily upon those individuals to become the stewards steering this nation. If we are not prepared to be mature and calm, to be tolerant and to recognise that some factors are beyond our control, we will have difficulties in grasping the issues and arriving at important resolutions and solutions.

One word could hold the key; that is, "respect". If we as a society could train our thoughts to the fundamentals of that word, we could start moving in the right direction and achieve meaningful outcomes. Then, as sensible citizens, we would be committed to respecting the range of values which people have and which they should be entitled to observe, preserve and share. If we do not respect those values, the tendency in our busy life will be not to regard them nor to believe them to be fundamentally important.

Let us consider the value of replacing the word "reconciliation" with the word "respect". If we demonstrate respect, we can judge these values for what they are. The concept of reconciliation does not have the same capacity; it can be interpreted to mean, "You shall"; "You shall not"; "You shall like me whether or not you like it"; or "You shall respect my values whether or not you like them." Society is not about that; it never was and it never will be. Society is about saying that, in the sensible light of day, there are aspects of another group of people, whatever their origin

or background, that allows us to respect them. From that respect, a multitude of good things will evolve that in turn will set the practical parameters for us to deal with these issues that have been with us all these years. Emotive debate will not help in finding solutions. Emotion is a manifestation of an argument or point of view that tends to contradict the values of what we are seeking to do.

Only two weeks ago I had the privilege of launching a new organisation in this State - the Unity of the First People of Australia. I have spoken in broad terms about it with the Premier. Its foundations and purpose are built on respect, and its aim is to work in a very passive and genteel way with the organisational arms of government and the people of our nation in fostering this notion of respect. The elders of our society will be the symbol of that organisation; they are the basis upon which the organisation will develop its strategies. Those of us who are engaged in launching this organisation say that very few, if any, citizens of our nation show disrespect for their elders. It is universally recognised that the wisdom, great knowledge and capacity of Aboriginal elders is not only an important feature of the continuation of indigenous culture but also an area from which the broader community could gain enormous benefits and direction. The Unity of First People of Australia organisation will look back to look forward. We will go back into history, which has so clearly been described today and which this motion is intended to acknowledge, and at the same time we will turn our focus forward and place our reliance on that wisdom and knowledge.

I hope that all members of Parliament, who strongly support this motion today, will gain an understanding of why this new organisation is being put in place: We feel committed to the rebirth of the word "respect" in our society. Respect is playing a diminishing role in society. As a consequence, society is not coming to grips with reality and the need to encompass and embrace fundamentally important changes. The way in which the Prime Minister addressed the convention in Melbourne marking the thirtieth anniversary of Aboriginal citizenship is a graphic illustration of what I am saying. It was vitally important and it would have been easy for the Prime Minister to have been as clear in his apology as is the motion before the House today. However, the Prime Minister included a qualification in his apology. Sadly, that did the Prime Minister an injustice. The apology has marked him as being mean and a little man. That is very sad. Australia needs cool heads, people of wisdom and a powerful commitment to respect and understanding of the values of the people who make up our nation. Only in that way will we fulfil the aspirations of the people of this country - let us make no mistake about that.

This is not the first time I have said that in this Chamber. However, I will continue to say it even if I labour the point. We will not have a truly multicultural and meaningful Australia if race relations cause anxiety, division, confusion and the degree of concern that exists today. We must strive to remove those concerns. The nation will serve us well if our race relations are better attuned.

I am proud to speak today as the only Aborigine in this Parliament. Although articles in "Inside Cover" and by other people commenting on my presence in divisions, my song writing, and rabbits and wombats running away from my singing receive notoriety in the media, I reckon Alston is a good bloke; he writes some good little ditties which I might turn into songs. Those are nice little things to which I react positively, because I happen to be a cool head. Those things do not bother an old bushman, stockman, drover and cattleman, because I have been through all of that. When I am not here during a division I am promoting the virtues of a united Australia with indigenous and non-indigenous people. Everyone living in Australia is my constituent. I am proud of that. It is because of that pride that I am part of this motion today. I thank my fellow politicians for being strong enough and powerful enough as individuals to support this motion.

[Applause.]

**MR PENDAL** (South Perth) [11.56 am]: I too support the motion moved by the Leader of the Opposition without qualification. However, it is important on an occasion such as this to emphasise that an apology today, which I express as well, must never be read as a condemnation of yesterday. To do that would result in two undesirable outcomes: Firstly, it would rewrite history, and no-one is entitled to do that; secondly, it would attribute to people of past generations motives that are seen through today's eyes - motives which many in those times did not have. In fact, in the context of their time those motives were a conscientiously held set of motives. For people to say otherwise is to be bereft of documentary knowledge.

I can only begin to fathom how it would have felt for me as a white child to have been separated from my parents. I imagine that I would have felt exactly as Aboriginal children, and some white children today, who were removed from their families by the law. I believe we need an act of national reconciliation. However, we should not seek to impute to people in 1900, 1925 or 1950 motives which they did not have. Their actions then were, for the most part, driven by humanitarian values which were decently held, but which in the 1990s are seen to be inappropriate. I support the motion.

**DR HAMES** (Yokine - Minister for Aboriginal Affairs) [11.58 am]: I reiterate the profound regret that is felt by both the Government and me as Minister for Aboriginal Affairs and also as Chairman of the Ministerial Council on



Aboriginal and Torres Strait Islander Affairs conference that will be held in Perth in August. That will be one of the first organisations to consider the report on the separation of Aboriginal and Torres Strait Islander children from their families and to plan for what action should be taken as a result of that.

As a father of six children perhaps I have some understanding of what it would be like to have one's children forcibly removed. I pass on my deep condolences to all those people who were affected in that way. Some people have suggested that the forced removal of Aboriginal children was the action of a few individuals. That is not so. History clearly shows that it was government policy at the time. The Industrial Schools Act 1874 sanctioned the removal of Aboriginal children to institutions without their parents' permission.

We can see that from 1874 and earlier, for almost 100 years, this was a policy of Governments of the time. The extracts from the submission of the State Government to the inquiry suggest that the actions of the native welfare and child welfare departments in the 1950s and 1960s were taken with all good intentions, and it is hard to understand how those good intentions could have progressed to what is known now to have occurred and their effect on so many people.

The revelations from the inquiry have suggested that those policies have caused great pain and suffering to very large numbers of Aboriginal people, not only in Western Australia but in the whole of Australia. Despite all that happened, many of these people who were forcibly removed have succeeded within our society, and some examples of those successes are sitting in the Public Gallery. They have reached a very high standard of employment and living, notwithstanding their removal from their families. However, there are many others, and that contributes largely to the problems we have at present with dysfunctional families among Aboriginal communities. These people were seriously and sadly affected by those actions and have never been able to come to terms with what happened to them as children.

I will tell a story about a person who is working in a department for which I have ministerial responsibility. I will not say which department it is to keep that person's identity a secret. This person was removed from her family as a child and did not know who her parents were. As an adult in a senior position within a government organisation, she was walking through a country town. An Aboriginal woman sitting with others on the footpath asked her whether she knew who her mother was. She said that she did not and the woman who had approached her told her that it was one of the women sitting on the footpath. Because of the age of this person, her features and knowledge of when the mother had had a child removed, these women could work out who she was and to whom she was related. This person was finally reunited with her mother after all that time.

The report is a very detailed one and will require a great deal of consideration by this Government. Many departments will be involved in considering the recommendations and also formulating other recommendations for changes that must be made within those departments. Those recommendations will be collated through the committee the Premier has established and I hope a report will be prepared in time for presentation to the Ministerial Council on Aboriginal and Torres Strait Islander Affairs conference in August. The Aboriginal Affairs Department, for which I have responsibility, can also make a considerable contribution to that report, in particular, some of the specific recommendations regarding the recording of testimonies from those who were removed from their parents and assisting with the tracing of families, which has been done already.

Another project already underway is the review of the Aboriginal Affairs Planning Authority Act which was passed in the 1970s. It is regarded as outmoded and contains many references to Aboriginal people which they find offensive. It is appropriate that we should now review the Act as quickly as possible.

Like other speakers before me, particularly the member for Kimberley and the Premier, I say it is time to look forward. We must always reflect on those things that have occurred in the past and make sure they do not happen again. As Minister for Aboriginal Affairs, I will make sure we progress this project as quickly as possible, to make sure that, as part of the reconciliation process, we do everything possible to improve the standards of living of Aboriginal people and to improve both their economic and cultural opportunities.

**MR RIPPER** (Belmont - Deputy Leader of the Opposition) [12.04 pm]: I join with my colleagues in supporting this apology to Aboriginal people for the forcible removal of their children from their families. It is perhaps indicative of the lack of community appreciation of this issue that it was not until I was responsible for the then Department for Community Services that I fully appreciated the ramifications of this issue. Members in this House and people in the community should be in no doubt about the deep distress, sadness and bitterness Aboriginal people feel today as a result of past policies. We say past policies, but it always alarms me that people my age were among those who were forcibly removed from their families. It continues to affect people of my generation.

Some members may not have had an opportunity to speak directly to Aboriginal people about this matter. However, because in recent years we have debated the adoption legislation, many members will have had the opportunity to

speak to those relinquishing mothers in the non-Aboriginal community who gave up children for adoption. Of course, some of those mothers were subjected to social pressures to give up their children for adoption, but at least formally they had some say. No-one could discount the degree of grief they feel. How much stronger must the grief be for those who had no choice whatsoever, when the removal of children was conducted on a systematic and forcible basis?

That policy caused a lasting damage to the structure of Aboriginal families. The individuals involved suffered deep psychological scars. As those individuals parent their children, those psychological scars reverberate down the generations. Those policies have a continuing impact on the Aboriginal community and on the non-Aboriginal community. I hope this apology today will go some way towards healing some of those feelings.

Much more must be done. We must offer practical support to the Aboriginal families, communities and individuals affected by these policies. There are Aboriginal support programs and family tracing programs. Members on both sides of this Parliament must offer continuing financial support for those programs, as well as support for individual counselling for those who are affected by this issue.

It is regrettable that the attitudes that support these policies in the past did not disappear with the policies. As a result it was felt necessary for child welfare agencies throughout the country to adopt Aboriginal child placement principles, to govern the placement of those children unable to be cared for by their parents. It is very important that those principles are given great force; otherwise children who cannot be cared for by their Aboriginal parents are, in a sense, lost to the Aboriginal community. Those children are placed across a fundamental division in our community, and being placed in that very difficult position severely affects their life opportunities.

I hope when new child welfare legislation comes before this Parliament, we will legislate to give the Aboriginal child placement principles the force of law. It is necessary to do that because there are still lingering hangovers of those old attitudes which supported these policies in the past, and in some cases those attitudes will result in the de facto repetition of the removals which occurred in the past. Indeed, the inquiry has found that the removal of indigenous children continues today under new guises and new arrangements. The press release which announced the findings of the inquiry stated -

Indigenous children are six times more likely to be removed for child welfare reasons and 21 more times likely for juvenile detention reasons than non-Indigenous children.

A very significant disruption to Aboriginal family structures still occurs today. Today we meet Aboriginal lawyers, doctors and members of Parliament. There are many success stories for Aboriginal people, but we must acknowledge that for many Aboriginal children life is still extremely difficult. Many Aboriginal children still find themselves in a crisis situation. The number of Aboriginal children who are made wards of the State is vastly in excess of their proportion of the population. The school retention rates from years 8 to 12 for Aboriginal children are disgraceful. I hope in 20 years' time the members in this House will not look back on the position of Aboriginal children in 1997 and reach the conclusion that not enough had been done to meet that crisis. It is probably the most serious social crisis in our community.

The policies for which we are apologising to the Aboriginal people were carried out under legislation endorsed by this House. The policies were implemented by Labor and non-Labor Administrations responsible to this House. It is entirely appropriate that this House should support the motion apologising to Aboriginal people for these terrible practices of the past.

**MRS PARKER** (Ballajura - Minister for Family and Children's Services) [12.12 pm]: It is with a sense of respect that I support this motion today. I am mindful that I am the first woman and mother to speak in this debate. Those people who have failed to learn from the mistakes of the past are destined to repeat the same mistakes in the future.

I hope this report will be a turning point for Australia and, in particular, the Aboriginal people of Australia. I hope and trust that the acknowledgment by this Parliament, on behalf of all Western Australians, of the fundamentally flawed practices of the past and the resultant trauma will mark a new beginning for all Australians, particularly, Aboriginal people. This is a national report and its recommendations apply to not only the Commonwealth Government but also all State and Territory Governments. In this regard it is important to note that many of the recommendations in the report have been in practise in Western Australia for a number of years.

In Western Australia the implementation of recommendations contained in the report must, without doubt, address the tragedies that arose from the enactment of the Aborigines Act 1905. The Government's submission to the inquiry last year opened with the following quote from the then Minister for Lands -

I may say it may appear to be a cruel thing to tear away an Aborigine child from its mother, but it is necessary in some cases to be cruel to be kind. I am fully convinced a reasonable amount of discretion will be used in carrying out the provision of that clause.

Members can identify, from the understanding they have, with how fundamentally flawed is that position. I can relate to that both as a mother and as a woman. The then Parliament agreed with the then Minister for Lands by endorsing the legislation which provided that in some cases it would be necessary to take a child from its mother.

Members who are parents, particularly those who are mothers, cannot imagine how they would cope with having their child taken from them by law. The grief and the pain endured by a mother, year in and year out, would be heart breaking. She would always wonder where her infant was and how it was surviving.

I also comment on the suffering and the trauma experienced by a child who finds himself or herself in foreign circumstances, away from the normal support of family. As the Minister for Family and Children's Services I am committed to the belief that the family is the fundamental cornerstone of our society. It is important for members, in supporting this motion, to again acknowledge and reaffirm their commitment to the family and its place and priority as the institution above all institutions in our community.

I acknowledge in principle the member for South Perth's comments, and it is easy in hindsight to say that today we could not embrace the policies of 1905. The officers of my department and I are doing all we can to undo the cruelty that was perpetrated against the families and children affected by the Aborigines Act of 1905.

As a former Minister the member for Belmont said, Family and Children's Services is already providing a number of services which address some of the issues raised in the report. An Aboriginal family tracing service is recommended in this report. For some years Family and Children's Services has provided a family tracing service that assists both Aboriginal and non-Aboriginal people to trace their family history. The department has archival records from former departments - the native welfare department, child welfare department and the community welfare department. Much of the information is about people's personal lives and their families. It is recognised that the release of information can be traumatic to people and confidentiality of personal records has been respected. A couple of thousand Aboriginal people - I have not been able to get an exact figure - have received information from this service. Many use the service for formal reasons - for example, proof of birth, proof of Aboriginality, adoption purposes, for documenting family trees and family histories and locating relatives. Information is released in a very caring and sensitive manner and support is given as the information is integrated into the person's life. Twelve months ago almost 700 Aboriginal people had applied and were waiting to access their records for information. The department responded to that growing list of people by increasing the number of staff to deal with that demand. When I checked yesterday only 46 applications were waiting completion.

The other practice to which I refer, the Aboriginal child placement principle, was referred to by the member for Belmont. In 1984 commonwealth and state Ministers made an agreement to implement and support a policy on the placement of Aboriginal children. The main theme of that policy was that placements were to ensure cultural consistency. In line with that decision Family and Children's Services undertook to implement that practice and last year it reviewed the Aboriginal child placement principle to adapt it to the present day needs of children. The department continually looks at practice to ensure it is meeting the needs of the community. In considering the recommendations of this report it will continue to do so.

The most recent practice the department commenced to support Aboriginal families is the Best Start project. That project is an acknowledgment by the department of the need to support Aboriginal families and their children to ensure they do not experience academic disadvantage. In the short time I have been a Minister one of my most valued experiences was when I travelled to Port Hedland and met the Pilbara council of elders and visited one of the communities that was involved in the Best Start project. Department staff worked in partnership with Aboriginal community members and developed a program to enrich the experiences of preschool children so that when they entered the primary school system they were well equipped to thrive and would not meet early failure. The department will continue to implement the Best Start project throughout the State to ensure access to education for Aboriginal children. The Government has a policy of employing Aboriginal staff in the department. In that way we are able to have far more culturally appropriate responses to Aboriginal people who require the services of the department. I am pleased to see a couple of those staff in the Public Gallery today.

Despite the initiatives that have already been undertaken, I acknowledge that the report contains a number of recommendations that will be the subject of more detailed work. The department is already examining the report and looking at ways it can respond. I look forward to ensuring that the implementation of the recommendations is progressed in my portfolio.

The member for Belmont referred to Aboriginal people and their success, and he spoke of achieving the position of lawyers, accountants and politicians. However, today I would rather refer to a different measure of success - not just for Aboriginal people, but for all of us. We can measure our success by the richness of the relationships that our life holds. In considering this motion today, and considering the distress that was caused by the forced removal of children and the impact that had on relationships between mother and child, father and child, and brother and sister,

and on the great kinship system that we know exists with Aboriginal people, I trust this report and our acknowledgment of it and its impact on Aboriginal people, particularly in Western Australia, will result in success in people's lives. That success does not relate to a performance in a career sense, but to a success in the richness of relationships. I hope we will see an enrichment in the relationships of Aboriginal people in their families, in their extended kinship system, and in the way they relate to the broader Australian community. I support this motion.

**MS WARNOCK** (Perth) [12.25 pm]: I take this opportunity to speak briefly on this important day in this important week in the life of Australia. The symbolism of the great meetings that are taking place on the other side of Australia this week to celebrate that extraordinary event 30 years ago when Aboriginal people, who were here long before the rest of us arrived, fully became citizens of this country cannot be overestimated. It is an important symbolic week and this is an important symbolic day. Members of Parliament representing not only their own electorates, but other members of Parliament and Governments of both political colours over a number of years, have taken the opportunity to speak on behalf of those people they represent in this place, and to apologise to the Aboriginal community for policies of the past that were sad, wrong and terribly damaging. I appreciate these policies particularly acutely because I had the good fortune that my colleague the National Party member who spoke earlier had in that both of us grew up with Aboriginal people in the country. Generations of my family have grown up with Aboriginal people. I went to school with Aborigines and I count among my close friends Aborigines, some of whom, sadly, are no longer with us. It is because of my friendship with Rob Riley as well as my own background that I have chosen to speak today to indicate that I support this motion and that I am pleased to know colleagues on both sides of the House support this motion because of its great importance.

Some people have objected to the idea that people in this generation should apologise for the deeds of past generations. If people have any resentment about that, it is a great pity. People who take that view fail to realise the importance of a symbolic gesture such as an apology. It is important to be able to say sorry. If an apology is necessary and one cannot make it, one's relationship cannot move forward into the future. That is the main reason I chose to speak today. We must be able to seize this opportunity to say sorry for those bad, wrong, sad policies of the past that have caused much pain and difficulty to people whom many of us know personally and to many other Aborigines we do not know. If we can make that gesture, I believe we can achieve reconciliation and we can change things in our community that have been troubling, and that continue to be troubling. Perhaps we will even be able to persuade those in the community who are using the issue of Aboriginality and Aboriginal affairs to divide the community even more than it has been divided in the past.

I have been saddened of late to find that growing numbers of people choose to divide the community in that way. I repudiate their views completely and I hope they come to see the light eventually. I particularly hope they come to see the light before 2001 when I hope that all Australians, black and white, those who came here as migrants and those who were born here, will be able to celebrate the centenary of federation together. That is my hope and that is why I chose to speak today. I support the motion with a great deal of passion.

**MS MacTIERNAN** (Armadale) [12.30 pm]: I join with the member for Perth in taking the opportunity to contribute briefly to this debate, because I would not want such an important occasion to pass without having stood and been counted on it. My concern is that perhaps many in the community have underestimated the profound effect of the acts of our predecessors in putting in place a policy under which Aboriginal children were taken from their families. However well-intentioned some of those policies may have been, the result in the vast majority of cases has been a great disaster, not just for the past or because it caused a great deal of anguish to the mothers, but also because of its ongoing legacy in making it difficult for many Aboriginal people to take full advantage of what Australia has to offer today. It certainly has been a substantial factor in the degree of alienation many of us witness so unfortunately among the Aboriginal community, particularly young people.

I also grew up in a neighbourhood with a number of Aboriginal families and knocked around with those kids. However, it was not until 20 years ago, when I was working with the Commonwealth Department of Employment, Education and Training in the Aboriginal employment and training branch, that I became aware of this issue. I would take down people's employment histories, during which some of these stories came to light. I was absolutely astounded because I had no idea this had happened. In the first few months I thought it was only a few isolated incidents but it became evident that it had been a widespread practice. Some of the stories were horrific. A friend who is about my age told me that when she was about four years old, and her older sisters were six and eight years of age, they had lived in the bush around Meekatharra with their Aboriginal mother and white father. They lived very happily in circumstances that were not materially rich, but they certainly had a very free and open life. They were regularly visited by welfare agencies but as long as their father was alive, they were safe.

The week after their father died, the welfare agency was able to have its way and these three young girls were packed into the back of a truck and taken to Perth. They were given dresses to wear and at each stop on the long trip from Meekatharra to Perth they would hop out of the truck, hang their dresses on a tree, and run around because the

lifestyle they were being quickly cosseted into was different from the life they had led. They were taken to an orphanage in Perth, separated and put into different age group dormitories within the orphanage. Her story is that it was not all bad. There was certainly a lot of interaction and affection between the children in that orphanage but, at the end of the day, there was an enormous feeling of loss that has stayed with those three girls for the rest of their lives, even though some years later in adulthood they were able to find and return to their mother. They have never been able to completely put behind them the trauma of those days.

I also take this opportunity to set out what I found while working in the Aboriginal employment arena which very quickly demonstrates how dangerous and wrongly conceived this policy was. As an employee of the Commonwealth Department of Employment, Education and Training, I set up an Aboriginal apprenticeship program, part of which involved visiting every Aboriginal student in years 10, 11 and 12 in the metropolitan area. Many of those students came from the country and were boarding at hostels and schools. I selected students for the apprenticeship scheme. Fortunately, the Liberal Government of those days was prepared to set aside large amounts of money to train young Aboriginal people in apprenticeships.

Many of the students who were high achievers had been adopted by white families and brought up by them. Often they had more stable family environments that were more geared towards school and the children tended to do better. A higher than average percentage of those students took part in this apprenticeship program and did brilliantly in the first year. However, time and again by the second and third years the wheels would fall off the wagon. By that stage the students were 16 or 17 years of age, and they had to confront the issue of their identity. I understand this is a problem that faces adopted people generally, but it is much more profound for Aboriginal children adopted into white families. Overlaying the normal identity problem, was the issue of Aboriginality and the undeniable element of prejudice within the community. It was not coincidental that at the ages of 16 or 17 years this became a real issue. Many of those students were young boys who had been accepted by white families and were in the football team, but when they wanted to go out with the sisters of their friends it became an issue. We must acknowledge there was a great amount of prejudice.

Many of those apprentices, who had been very capable at school and had worked well in the first year of their apprenticeship, were unable to cope with the pressure of identity and prejudice they were confronting for the first time in their lives. A far greater percentage of those apprentices who had been brought up in white families dropped out of the scheme than did those raised in their own home environments. A number of those young people during that period of alienation got themselves into situations that set the die in many respects for the rest of their lives, or certainly the next decade. We must not just be concerned about the immediate sadness or suffering imposed upon the families and children, but also we must understand this has had a profound and long term consequence for Aboriginal people. I am very appreciative that all members have been prepared to come together and make this symbolic gesture. I am heartened by the acknowledgment by the Premier and various Ministers that more government assistance is needed. However, it must go beyond that and become an issue the community is prepared to embrace. At the end of the day, the community must not only say it is sorry but also be prepared to look at the degree of alienation of many Aboriginal people and understand the source of it. We must be prepared not to act in a judgmental and divisive manner towards the Aboriginal community.

**MR CARPENTER** (Willagee) [12.39 pm]: I feel strongly about this very important motion. I congratulate the leaders of all three political parties represented in this House and the Independents for bringing on this motion in a bipartisan way. In the short time I have been a member of this place I have raised the matter of separation of families in the Aboriginal community a couple of times in the Parliament.

Although I was generally aware of the policies which prevailed in the Western Australian and wider Australian community for a long time, it was not until I attended the old Moore River mission at Mogumber a few years ago that I became aware in a personal way of the impact of these policies. I was surprised that many people at the "Back to Mogumber Day" in 1994 were people I went to school with in Albany; namely, the Loo, Miller, Williams, Wynne, Coyne and Colbung families and numerous others. I had no idea when growing up with these people and going to school with them as friends that this policy had had such an impact on their lives, including a person I met at school who remains a close friend, Alwynne Coyne.

After that day at Mogumber, I began to take a far greater interest in the policies which had applied in the earlier days of the State's history until the 1970s, not the 1960s, as claimed earlier, as far as I could determine. I gained a deeper understanding of the impact of this policy. From my experience in my family, I am aware that a traumatic family event can have repercussions for several successive generations. Such events have arisen in numerous families but, apart from perhaps an experience in war, nothing experienced by the vast majority of non-Aboriginal families in Western Australia compares with the impact of family separation on Aborigines.

When I was a student in Albany at the local primary and high schools, another group of Aboriginal people lived in Albany who were not members of the local Aboriginal community. This group was in Albany thanks to the good

grace of the Palatine mission. This was a group of boys and girls sent to school in Albany from various parts of the State, but mainly from the Kimberley. One of those boys was called Peter Yu, who has gone on to be a very significant player in Aboriginal affairs in Australia.

I take some interest in the comments made by one or two people in Western Australia, especially our new Senator Ross Lightfoot: He claims Peter Yu's Aboriginality should be questioned. Peter Yu was sent to school in Albany as a 15-year-old or 16-year-old boy because of his Aboriginality, and he is now one of the foremost leaders in Aboriginal affairs in Australia. To have someone of the nature of Ross Lightfoot make such comments is an absolute disgrace.

The community is generally aware - certainly its more sensitive parts, anyway - that the policy which separated Aboriginal families was totally wrong. We must realise that a great untruth is told when stating, "It is all right to have wisdom in hindsight, but people did not realise the harm being done". When these policies were enacted, many people, not the least of whom were the Aboriginal people themselves, were telling the church and the government leaders that the policies were wrong. Susan Mausehart's book *Sort of a Place Like Home* exposed a raft of such cases in WA. Members will see by reading that book that Aboriginal people went to inordinate lengths to convince government that the policy was totally wrong. They were ignored, and in many cases they were locked up for their trouble. We cannot now stand in Parliament and say that we know what was done in the past was wrong, but everything will be all right because -

Mr Pental: Did you say that they were locked up for having expressed that view?

Mr CARPENTER: No. They were locked up for the activities carried out in order to demonstrate to the Government that it was wrong; namely, they went to the missions to try to get their children back, for which they were imprisoned. Many of them were tracked down over long distances and over long periods to be imprisoned. It is not good enough to state in Parliament that we now recognise the policy was wrong, but it was applied with the best of intent. Not everybody at the time believed it was applied with the best intent, certainly not the Aboriginal people involved.

In 1997 we face another raft of issues which confront our relationship with Aboriginal people. I refer to Mabo, Wik and a number of other matters. I invite the leaders of all political party to listen to what Aboriginal people say on those issues. I do not want to look back in 20 years and hear people say, "Well, what a tragedy - what a shocking mistake we made, but we did it with the best of intentions." We can learn from the mistakes many people made in the past so we do not make similar mistakes on these and related issues which will affect us into the future. It is very important to learn as political representatives of this State that we cannot make the same foolish errors of the past. Members must listen to people like Pat and Mick Dodson, Peter Yu and other Aboriginal leaders in the community - some have visited this Parliament today - who tell us what we should be doing. Many non-Aboriginal people are also telling us what we should be doing. We must listen to them.

Question put and passed.

The SPEAKER: I have recorded that the question was passed without dissent.

### **FISHING AND RELATED INDUSTRIES COMPENSATION (MARINE RESERVES) BILL**

#### *Message - Appropriations*

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

### **ACTS AMENDMENT (MARINE RESERVES) BILL**

#### *Third Reading*

**MRS EDWARDES** (Kingsley - Minister for the Environment) [12.47 pm]: I move -

That the Bill be now read a third time.

I make a couple of brief comments in response to matters raised in debate yesterday. Clauses 61 and 62 will amend the Pearling Act, and the member for Maylands asked about the duration of licences and permits issued under the Act. Section 25 of the Pearling Act provides for the duration of pearl farm leases, licences and permits. A lease can be issued for up to 21 years, and the period is specified on the lease under section 25(a). The Fisheries Department has advised that specified lease periods range from three years to 21 years. Also, under section 27(1)(a) a lease is subject to an annual fee. Licences and permits under the Pearling Act are issued for a period specified in the licence or permit, as covered in section 25(b). The Fisheries Department has advised that the period specified is from 1 January to 31 December.

The member for South Perth proposed an amendment relating to the operation of the appeals convenor. Importantly, the amendment sought to have the report of the appeals committee tabled. Also, we debated how the appeal convenor operated. The operations of the appeals convenor is by virtue of ministerial delegation of power under section 106(1)(a) and (b) of the Environmental Protection Act, in accordance with section 18 of the same Act. I have prepared for tabling in the Parliament an outline of the duties of the appeals convenor, particularly for the member's interest, given that I have indicated that the current operation of appeals is currently under consideration for change as part of the area's entire machinery under the Environmental Protection Act. I seek leave to table the document.

[See paper No 422.]

Mrs EDWARDES: With the passage of this Bill, I highlight that the highest priority will be to seek expressions of interest for membership of the new Marine Parks and Reserves Authority. We will do that by way of public notice. We will advise key interest groups of the setting up of the authority and seek their input, as we did with advance copies of the Bill in the first instance. With the establishment of that authority, we will be able to commence the process of making public the priorities for the new marine conservation reserves. An example is consideration of the proposal for a marine reserve at Jurien Bay, for which preliminary biological survey work has been carried out. The community advisory committee that has been established can progress further under the new authority. The authority can then proceed to set up the scientific advisory committee to enable it to seek expert advice. This Bill provides a practical and appropriate framework for the operation of marine reserves in Western Australian waters. The Bill is particularly important. As I indicated in the debate, with hard work and goodwill between the many people who have an interest in the marine environment, and with the Government's commitment to conservation, I am sure this Bill will be of huge benefit to all Western Australians. I commend the Bill to the House.

**MR PENDAL** (South Perth) [12.51 pm]: I support the third reading, and I thank the Minister for providing the information which she promised yesterday to provide. The Minister has confirmed precisely what I said yesterday was the case. The Minister told us yesterday that there were two methods by which she could appoint an appeals convenor. She could appoint an appeals convenor by some apparent informal mechanism, or she could appoint a one person appeals committee, who would constitute a convenor under part 7 of the Bill. The Minister said that both methods are permissible. In fact, both methods are not permissible. The Minister confirmed this morning that the current appeals convenor is appointed under section 106 of the Act.

Now that the Minister has clarified that, which was the very point that I made in the first place, I make the final point that it was, therefore, within the competence of the Committee and the House to adopt the amendment that I moved. The amendment provided that on every occasion that the Minister rejected or altered the advice of the appeals convenor/committee, or whatever we like to call that person, that advice should be laid on the Table of the House. We were told that that amendment was not possible because the appeals convenor was appointed other than under the provisions of the Act. I am pleased that it is now a matter of public record that the appeals convenor is appointed under the provisions of the Act, albeit that the Government saw fit to oppose the amendment that I sought. Notwithstanding that, I am encouraged that the Minister said in her assurances to the Committee, and now her assurances to the House, that that process is under review and a Bill dealing with that matter will come to the House in the not too distant future.

The Government has embarked upon a most desirable objective. The value of what the Government is doing, and the value of what the Parliament is about to do, will be diminished if the final stage of the process of creating marine nature reserves is not transparent. Everything should be transparent under the provisions of the amending Bills with which we have been dealing and under the provisions of the Environmental Protection Act. What is not transparent is that final stage, and while I acknowledge that the Minister already makes it public because she decides to make it public; and as I said to the Minister yesterday, good on her for that, it will be a tragedy if we do not go that final distance and include the requirement that an instrument must be tabled in the House every time the Minister acts contrary to that advice.

In the final analysis, it is like the creation of national parks: The difficulty is never with the easy ones but is always with the last 5 per cent, which may be controversial and which may lock away a resource - it may be a mineral resource, or a petroleum resource if we are dealing with an offshore area. If we do not have that mechanism of transparency, it will enormously undermine and cause to lack credibility a system which is, to the point to which the Minister has now taken it, probably 95 per cent there. Meanwhile, with the assurances that we have received, I support the third reading.

Question put and passed.

Bill read a third time and passed.

*Sitting suspended from 1.00 to 2.00 pm*

**[Questions without notice taken.]**

**MATTER OF PUBLIC INTEREST - SENIOR CONSTABLE GLENN MURRAY**

*Financial Situation*

**THE SPEAKER** (Mr Strickland): Today I received within the prescribed time a letter from the member for Midland in the following terms -

Pursuant to Standing Order 82A I propose that the following matter of public interest be submitted to the House for discussion today.

This House expresses concern at the Government's 11 month delay in resolving the financial situation for Senior Constable Glenn Murray and his family. It regrets the duress Mrs Murray has been placed under with the uncertainty of whether she will have sufficient money to pay for Glenn's on-going health care.

This House acknowledges that this issue hits at the heart of morale and the proper functioning of our Police Service.

Further this House notes that the case of Glenn Murray highlights a glaring loophole in the workers' compensation for police officers that are permanently incapacitated and calls upon the Ministers' working group undertaking the review on the matter of compensation for work related injuries to table its report on or before the first sitting day of the spring sittings in August 1997.

The matter appears to be in order. If sufficient members agree to this motion, I will allow it.

[At least five members rose in their places.]

The SPEAKER: The matter shall proceed on the usual basis, with half an hour allocated to members on my left, half an hour to members on my right, and five minutes in total to the Independent members, should they seek the call.

**MRS ROBERTS** (Midland) [2.39 pm]: I move the motion.

I raise what I consider to be a very serious matter of public interest. Yesterday, the Minister for Police told the House he had set up a working party to consider this issue. Considering this Government's record, I am concerned that the working party may be a way of taking the heat off the issue for the moment. We must look at this issue in its wider context. We must look at the job that is being asked of our police officers and consider the situation they are in. They are asked daily to chase and catch offenders and to drive at high speeds, sometimes necessarily breaking road rules. They ride horses in dangerous manoeuvres; they travel in outback areas of the State; and they carry out police related duties at any time that may result in debilitating injuries. Almost daily there are examples of the dangerous situations police officers put themselves in to protect and serve our community. Only last Sunday two police officers had to be helped out by a fellow who said in *The West Australian* that he wanted to be known only as Big Tom. Police Constables Fred Andrews and Robert Shearns were assaulted when they were tackling two would-be burglars in Kelmscott. Big Tom was quoted as saying -

It was a full-on Donnybrook. I'm not bragging, but I reckon if I hadn't been there the cops could have both been in serious trouble.

Superintendent Graham Lamp from the Cannington district said that Big Tom had saved the officers from serious injury and was in line for an award. A case reported in *The West Australian* this week involved Keith Wagstaff, a policeman who was chasing troublemakers through the bush on the outskirts of Halls Creek late one night when one of them yelled, "We'll kill them now." An article in that newspaper states -

Minutes later he was lying in his own blood from a 15 cm gash to the head, inflicted by one of the men wielding a length of angle iron.

The article states further -

Mr Wagstaff's severe head injuries affected his speech and eyesight. His left arm and leg were partly paralysed. He is pleased he suffers epileptic-like fits only about twice a week, compared with up to five a day a few years ago.

As a police officer, he was not covered by the Workers' Compensation and Rehabilitation Act. But his plight, which forced him to retire in 1991, captured the attention of then police minister Graham Edwards who advised him that he supported him receiving an ex-gratia payment.



But within weeks of Mr Edwards writing to Mr Wagstaff, Labor was toppled from office. Even though Mr Wagstaff's injuries were incurred while he was on duty, the Court Government has refused to accept liability.

These are just a couple of situations in which police officers find themselves daily. The case of Keith Wagstaff comes hot on the heels of the much publicised case of Glenn Murray. Those two former police officers are not alone. There are numerous other examples of police officers who have not been treated fairly because of there not being workers' compensation for police officers. We must consider also the environment in which police officers now operate. There has been a marked increase in violent crimes. *The Weekend Australian* highlighted unfortunate statistics for Western Australia, which follow the statistics I presented to this place only a couple of weeks ago which showed crimes against the person in this State were on the increase. I highlighted then that assaults on public officers and police officers, along with other forms of assault, were on the increase. The article in *The Weekend Australian* only last weekend said -

Violent crimes have escalated around the country in recent years with Western Australia emerging as the country's black spot and Victoria the safest State, according to national crime trends.

The writer of that article quoted from an Australian Institute of Criminology report that showed that burglaries of homes and properties Australia-wide had not increased substantially in five years at a national level, although Western Australia, Queensland and New South Wales reported increases. Western Australia's increase was almost double that in New South Wales and was double that in Queensland. Western Australia recorded a 40 per cent increase in assaults in the past five years, which, interestingly, coincided with the election of the Court Government. New South Wales recorded an increase of 25 per cent in assaults and Queensland an increase of 20 per cent. The Government should be ashamed that this is the state of law and order and of assaults and offences against the person in Western Australia.

The Minister for Police said only a couple of weeks ago that escalating crime in this State was not the responsibility of the Government. I do not have time to read out all the statements now; however, the Minister might like to check some of the earlier press statements made by his predecessor, the member for Wagin. When various categories of crime were on the decrease, on more than one occasion the former Minister for Police had no hesitation claiming credit for that.

The pressure and stress on police officers in their job of protecting and serving our community has never been greater. That pressure and stress is increasing in Western Australia because of actions taken - and not taken - by the Court Government. During the last election campaign the Labor Party committed to an additional 280 police officers above the attrition rate. The State Government failed to match that pledge. In the course of the election campaign the Premier was quoted in *The Australian* on 27 November 1996 as saying that the coalition would maintain the per capita police-population ratio under a new enterprise agreement that would deliver the equivalent of 255 additional operational personnel. On the face of it that commitment looked fine; the only difficulty was that the enterprise agreement was not new. The Police Union pointed out in that article that it would not have the impact the Premier was claiming. The Government was in effect saying that under this new agreement the same number of police officers would work longer hours. The same article states -

Mr Court subsequently admitted he would not further expand the size of the force but the 12 days of annual leave "bought back" under the police enterprise agreement had "the same effect as an additional 255 police officers on the beat".

Rather than employing more officers, the Government has increased officers' stress levels by providing less leave to officers already in the system. That is the environment in which police officers are working under the Court Government.

I turn to the situation involving Glenn Murray. In an accident on Mandurah Road on 1 July 1996 Senior Constable Glenn Murray was severely brain damaged and Senior Constable Jane Kennaugh was killed. That was 11 months ago, but that matter is still not resolved. Since then the Commissioner of Police has paid hospital and medical care bills arising from Glenn Murray's care at Royal Perth Hospital and the Shenton Park annexe. Mr Murray will never return to work as a policeman. He does have some superannuation entitlement. However, it is not reasonable to expect any of that superannuation to go towards his ongoing medical care for injuries incurred while he was a police officer. That entitlement will, it is hoped, generate income for the care and wellbeing of his wife and three dependant children. That superannuation should not be drawn on for Glenn's ongoing care and needs, which will no doubt be substantial. I understand Mrs Murray's solicitor has been negotiating since December for a settlement of this issue. It was only in the extreme circumstance of this matter not having been resolved months later, with the prospect that the pay for 168 days to which he was entitled as a police officer would expire in June, that Mrs Murray put his financial position to the media. It is a difficult decision to make in those circumstances, and it is a sorry state for

Western Australia that the wives and families of those police officers injured in the course of their duty must beg, bargain or plead for that to which they should be entitled. Mrs Murray and her family should not be out of pocket as a result of providing for Glenn Murray's ongoing care and needs. He is only 36 years of age, and he should live for many years. His needs are considerable; he needs special formula, physiotherapy, incontinence pads, and a level of care that is not freely available in the hospital system.

The first response after this matter was raised in the media came from Assistant Commissioner Mel Hay who said, "Injured officers are our mates and they will be looked after." It is comforting for Mel Hay to say that - I note the commissioner did not make that statement - but many of their mates have not been looked after. Clearly, Keith Wagstaff is an example where the Police Service has failed to look after its officers as the community would expect it to. In some instances the people to whom I shall refer do not want their names used. One person was involved in a shooting incident and has ongoing difficulties because he does not have the financial resources to cover the care he requires. I am aware of other instances, and I am sure there are many examples of officers who have been boarded out medically unfit to continue their duties, and who must now battle because the cost of their ongoing medical care is not being met by the Government.

The Minister assured the House yesterday that the Western Australia Police Service will not abandon Senior Constable Murray, but will continue to meet hospital expenses until discussions with his legal representative and family have been finalised. I note the use of the word "finalised" rather than "agreed". The first settlement offer was totally inadequate. The family was offered \$80 000, which would hardly have met the ongoing care costs for a year, let alone during his life expectancy. The Minister said that the situation of Senior Constable Murray raised the issue of officers who are severely and permanently injured, and that he would set up a working party. The fact that workers' compensation does not apply to police officers is not a new issue. Some matters relating to this case may be new, but it has been an ongoing problem for a number of years. If the Minister goes back to his files, he will see that his predecessor has corresponded with the union, individual officers and their legal representatives on this matter for some years.

What do Senior Constable and Mrs Murray require? They do not require a huge lump sum one-off payment; but rather they need the Government to agree to indefinitely meet the medical costs arising from those injuries sustained while he was on duty. A comparison was made with the workers' compensation system, and the Minister said that in many instances the amount offered to police officers was as good as, if not better than, that offered to employees in other areas. It should be much better because the danger in which they place themselves on a daily basis warrants a much better system. How could police officers go about their duty, and how could their families feel secure, if they were not entitled to significant compensation and knew they would not be out of pocket because of any injuries arising during the course of their duties?

Our police officers are now working longer hours, they are under greater stress, and the crime rate, particularly assaults, has escalated uncontrollably in Western Australia. The risk of injury is higher, and what message is given to police officers and their families by the treatment of Senior Constable Murray and other officers? It is not a good message and it has had an awful impact on morale in the Police Service. We must also consider what it means for the future of the Police Service and those contemplating becoming police officers. Already a case has been reported of police officers not adopting category C procedures on an urgent call because they feared for their safety and did not want to put themselves at risk without some certainty of protection should they be injured. That is perfectly reasonable under the circumstances. I have received advice that suggests that if a police officer driving a vehicle is involved in a single vehicle crash he will not have a claim for injuries he may sustain. Whether that police officer is boarded medically unfit or continues to serve, he cannot expect to be financially recompensed. We must look at the consequences of that in the community. If that is how people in the Police Service are treated and they are not covered for injuries they sustain in the course of their duty, there will be more instances of police officers not adopting category C procedures on certain calls. Certainly more police officers will not be engaging in high speed car chases. Why should they? I refer to a letter from the previous Minister for Police, Bob Wiese, dated 24 September 1996, in which he gave the following hard advice -

A notice in the Western Australian Police Gazette 22/92 states that immediately a police vehicle engages in a pursuit, a member in the vehicle will give the specific information to VKI before a category is allocated or authority to continue the pursuit is given by the Police Operations Centre Coordinator. I am informed by the Commissioner that there is no evidence in the crash report, statements or Computer Dispatch System that this was done prior to the Claimant's crash.

In this matter the Claimant was not in an emergency situation and could have elected to abort the high speed pursuit at any time. I am advised that contrary to the Claimant's submission he did not have a lawful obligation to pursue the motorcycle and would not have been charged with neglect of duty had he not done

so. The Claimant was not directed to pursue the motorcycle by anyone in authority, but elected to do so on his own judgement.

That is the kind of feedback police officers are receiving from the Court Government - they are absolutely on their own. If they were exposing themselves or their families to a liability, why would they want to continue in the job?

It is shameful that this Government has delayed for 11 months and not resolved the matter despite the efforts of Mrs Murray and her legal representative. It is patently obvious to all that a working party would not have been set up and nothing would have been done other than the \$80 000 offer made, or perhaps a slightly advanced offer, if Mrs Murray had not determined to make her case public. It disgusts me that we put the wives of our police officers in a situation where they must expose their situation publicly before this Government will take any action. The Government then procrastinated for another couple of weeks by saying, "We look after our own." Cases are coming out all the time which demonstrate that the Government clearly does not look after its own. The case of Keith Wagstaff is a good example; I am sure there are many more. Mrs Murray does not want anything more than is reasonable in the circumstances. The superannuation payment that she will receive should be for her and her three children's ongoing family costs and not to meet expenses for which the Police Service is liable.

Some very simple changes can be made to the regulations with regard to this matter. Regulation 1306 states that the commissioner shall pay the reasonable medical and hospital expenses incurred by a member as a result of illness or injury arising out of or in the course of his duties or suffered by him in the course of his travel from a place of duty. If the Minister checked his records, he would find that a couple of legal opinions are on file about how that regulation could be interpreted, one saying that it did allow for the payment of expenses indefinitely for those officers, and the other saying that it did not. Obviously the Government wants to adopt the cheaper interpretation. I call on the Government to do the right thing in this instance and prove that the working party was not just a sham, and for the Minister to table the report of that working party on or before the first sitting day of the spring session in August 1997.

**MR DAY** (Darling Range - Minister for Police) [3.04 pm]: I acknowledge, as does the Government, that the case of Senior Constable Glenn Murray is tragic, as is any case where a motor vehicle crash has resulted in severe and permanent injury. I understand that the effect on the family is devastating, and I understand the desire of Mrs Murray to care for her husband at home so that she can ensure that he is looked after properly. However, we must remember also that two people were involved in this tragic motor vehicle accident, the other being Senior Constable Jane Kennaugh, who was killed and whose husband and children were left without a wife and mother.

Mrs Roberts: You have not dealt with them adequately either.

Mr DAY: The member for Midland criticised what she referred to as "the Government's eleven month delay in resolving the financial situation for Senior Constable Glenn Murray and his family". It is a nonsense to suggest that there has been an 11 month delay. Is the member for Midland suggesting that the day after the accident, or very soon after, his future financial arrangements should have been determined and settled?

Mrs Roberts: I am suggesting there were delays of months in the Police Service even replying to Mrs Murray's solicitor.

Mr DAY: I will give a chronology of the action taken by the Western Australia Police Service. Of course there has not been an 11 month delay in determining the outcome of this tragic case. Clearly, we must await the outcome of treatment to determine the future needs and requirements of the family. In any difficult case such as this, that takes a significant time, not the least because it takes time to determine the prognosis of the patient. Sensitive issues concerning family interests, legal issues and medical factors also must be taken into account.

There have been extensive contacts between the Police Service, Senior Constable Murray, his family and his legal representative. I will give some examples of those contacts. In July 1996, the month of the crash - no doubt the day of or the day after the crash - officers of the health and welfare branch of the Police Service commenced ongoing contact with the Murray family, including Senior Constable Murray's parents and brother, as well as hospital staff. In September 1996, Senior Constable Murray was transferred from Sir Charles Gairdner Hospital to Royal Perth Rehabilitation Hospital for trial rehabilitation. On 11 December 1996, the acting manager of the health and welfare branch attended a case meeting at Royal Perth Rehabilitation Hospital with Senior Constable Murray's wife, his parents, brothers and sisters, and the medical, paramedical and nursing staff involved in his care. His situation was reviewed, and advice was provided that Mrs Murray intended to take him home rather than transfer him to a nursing home.

In January 1997, the traffic crash investigation file was referred to the State Coroner, and on 30 January there was a meeting between Assistant Commissioner Kingsley Porter and Senior Constable Murray's wife and parents to convey the outcome of the police investigation. I will not go through all of the detail, but it is clearly the case that

representatives of the Police Service have been closely involved with the family and with their legal representatives in -

Mrs Roberts: At the end of that, she was offered an ex gratia payment of \$80 000!

Mr DAY: That is not the end of the situation at all, as we are seeing. There has been extensive consultation between the Police Service and Senior Constable Murray, his family and his legal representative. On 2 May, Deputy Commissioner Bruce Brennan discussed issues concerning Senior Constable Murray's future with his solicitor, Mr Ray Burley, and on 21 May the Commissioner of Police advised Mr Burley that in order that all of the factors impacting on the matter are available, the Western Australia Police Service is waiting on the formal findings of the State Coroner; and that no action will be taken to retire Senior Constable Murray or to cease payment of his reasonable hospital and medical expenses until the options available have been considered. I seek leave to table a copy of the advice that I received from Deputy Commissioner Brennan.

[See paper No 423.]

Mr DAY: Senior Constable Glenn Murray has clearly not been abandoned by the Government or the Police Service. As I explained yesterday, the benefits that he has received - namely salary, and payment of hospital and medical expenses - have been similar in monetary terms to what he would have received under workers' compensation.

Mr McGowan: The military has a compensation scheme which sets out a range of benefits for people who serve in dangerous situations similar to those in the Police Service. Surely there should be a similar statutory scheme for people in the Police Service who endure these daily risks. Would it not be worth examining such a scheme?

Mr DAY: I agree that should be investigated, and I will come to that in a moment.

The Police Service is continuing to meet Glenn Murray's hospital and medical expenses while he is still employed.

Mrs Roberts: What about the future?

Mr DAY: We are looking at the future; I will get to that in a moment. He will not be discharged until the conclusion of discussions between the Police Service and his family and legal representative.

Various options are being considered at the moment and discussions are continuing between the Police Service and Constable Glenn Murray's legal representative. As I have said, a range of options are available. It would be entirely inappropriate for those to be detailed publicly. A range of legal issues need to be determined, not the least of which is the fact that a coronial inquiry has yet to be held. I understand that it will be held in the not too distant future, but there have been very good reasons it has not been held so far.

Mrs Roberts: How is that relevant?

Mr DAY: It is relevant because the causes of the crash need to be investigated. The family of the other person who was in the crash, Senior Constable Jane Kennaugh, has an interest.

Mrs Roberts: How will that impact on the compensation for Constable Murray?

Mr DAY: I will not comment on that.

Mrs Roberts: Are you suggesting any blame?

Mr DAY: I am not suggesting any blame whatsoever. I am saying that it is necessary for a coronial inquiry to be held. The fact that it has not been held is one of the reasons -

Mrs Roberts interjected.

Mr DAY: If the member will let me finish. The reason in part that the matter has not been concluded is that a coronial inquiry has not yet been held. As I said yesterday, it is correct that police officers are not covered by the workers' compensation scheme, except in the event of death. The reason for that is that they are covered by a better system than that which applies under workers' compensation.

In case members did not hear yesterday, I will briefly summarise the position. In addition to the benefits available to other members of the public sector, police officers are entitled to an extensive number of days' paid sick leave, reimbursement of non-work related medical expenses, and medical and hospital expenses for illness or injury suffered in the course of travel to or from a place of duty and to be provided with uncapped, work related medical and hospital expenses while employed. They are clearly well covered under the current system. We have a unique situation at the moment with Senior Constable Murray. I am advised that this has not occurred in the past - certainly not for a very long time. It has been a catalyst for further consideration of how we should handle such a case in the future.

Mrs Roberts: This issue has been before the Police Service for the past couple of years.

Mr DAY: The crash occurred in July last year, which is 11 months ago.

Several members interjected.

The SPEAKER: Order!

Mr DAY: As the member for Wagin indicated, generally speaking police officers are better off than if they were covered by workers' compensation. This case raises questions about how officers, such as Senior Constable Murray, should be best cared for in the future. As I advised yesterday, I am establishing a working group within government to advise on how best to provide appropriate care and support for police officers who are injured in the course of their duties. It is not, as was suggested by the member for Midland, simply designed to take the heat out of the issue but to give full and due consideration to determining how we can best support police officers who are doing a difficult job, operating often in very dangerous circumstances. We want to ensure that they are provided with every appropriate support.

Mrs Roberts: Will you table the report of the working party?

Mr DAY: I will not give a commitment to tabling the report of an internal government working party. I will await the outcome of the inquiries.

Mr Kobelke: It is just a fob-off.

Mr DAY: It is certainly not a fob-off. I have given a commitment to the Western Australian Police Union, as I have said, that before any changes are implemented there will be further discussion with them. In addition, they will be fully consulted in the deliberations of the working group and have every opportunity to make whatever submissions they wish. Before any implementation of any recommendations occurs they will be fully consulted.

Mrs Roberts: When will it be concluded?

Mr DAY: I expect within about three months. If the issues are unexpectedly complex and need more time, the committee will be given it.

Mrs Roberts: You promised prostitution legislation in this place this session.

Mr DAY: We are working -

Several members interjected.

The SPEAKER: Order! I have allowed quite a lot of interjections because I think it has assisted the debate. However, we are getting right off the topic and we are having too many interjections from across the Chamber.

Mr DAY: As I indicated earlier, the suggestion by the member for Rockingham should be considered by the working group. We need to consider whether the system that operates for injured military personnel should be similar to that which applies to Western Australian police officers. That will be one of the issues to be considered by the working group. The Government acknowledges the difficult work that police officers must do, often in dangerous circumstances. We are very keen to ensure that they are given every support to be able to do that job effectively and appropriately.

*Amendment to Motion*

Mr DAY: I move -

That all words after "this House" where it first appears, be deleted and the following substituted -

- (i) recognises the difficult and sometimes dangerous responsibilities police officers have to fulfil in the community;
- (ii) is fully committed to ensuring that they are provided with full and proper financial support when injured; and
- (iii) supports the actions of the Government in reviewing the system of compensation for police officers.

**MR MARSHALL** (Dawesville - Parliamentary Secretary) [3.17 pm]: It is important for all of us to recognise that the work of a police officer is difficult and dangerous. Police officers must be well supported as well as feel confident of their future in order to perform their duties 100 per cent. The tragic accident that claimed the life of Senior Constable Jane Kennaugh and seriously injured Senior Constable Glenn Murray while on duty near Mandurah

about 11 months ago has highlighted the fact that the Western Australia Police Force does not carry workers' compensation. As the member for Dawesville I have received many letters expressing concern that Constable Glenn Murray may not be adequately compensated, and I approached the Minister for Police on the matter. I was informed that the monetary value of the benefits received so far by Senior Constable Glenn Murray was about the same as that which he would have received under workers' compensation and that the Police Force was covered by a better system. Some of the areas that are covered include extensive sick leave for non-work related injuries, reimbursement of non-work related medical expenses, medical and hospital expenses for illness or injury suffered during travel to or from a place of duty, and work related medical and hospital expenses while employed. The whole issue of workers' compensation in the Police Force must be reviewed. The Minister for Police has had extensive meetings with the health and welfare section of the Police Force. A working group within government will be established to review the matter of compensation for work related injuries to police officers.

I feel emotionally involved with this issue. On the night of the accident we were coming back from a meeting with the football commission, having been told that Peel Thunder Football Club would probably get the licence it wanted. It was a rainy night. As we approached the lights of the police and emergency service vehicles, we saw a car wrapped around a sapling. It did not look good, but when we saw the thin tree, we realised how people can never predict what is around the corner when driving on roads. The cause of the accident has not yet been confirmed. The local force and the CIB in particular immediately rallied around and organised an auction. It was arguably the biggest community attended meeting held in Mandurah. I was privileged to be the auctioneer that night. We raised about \$25 000 for both families.

Mrs Roberts interjected.

Mr MARSHALL: I have only a couple of minutes. The Opposition says that this issue is having a major negative impact on police morale. I am sure that the ALP's contrived attacks on the Police Force are having an even greater negative impact. It is sad to think that an accident such as the one that disabled Glenn Murray is the reason this issue will be investigated. I hope the appropriate compensation and the answer will be agreed to by the working committee as quickly as possible.

**MR TRENORDEN** (Avon) [3.20 pm]: My interest in this motion is that it is a call from the Australian Labor Party to reduce benefits to police officers. That is a strange situation.

Mrs Roberts: That is nonsense.

Mr TRENORDEN: The ALP is calling for a reduction in benefits.

Mrs Roberts: The member for Avon is misrepresenting the ALP's position.

Mr TRENORDEN: No. One must compare what happens with workers' compensation in the Police Service with a call from the ALP to include the Police Service in the workers' compensation scheme. That is a call to reduce benefits to police officers.

Mrs Roberts: Who called for that?

Mr TRENORDEN: The member for Midland.

Mrs Roberts interjected.

The SPEAKER: Order! I know that members show strong feelings from time to time on the motions and the debate in this place. However, the member for Avon is entitled to be heard. It is irrelevant whether other members agree with him. The member for Avon has barely got to his feet and he is getting a barrage of interjections; that is unacceptable.

*Pointof Order*

Mrs ROBERTS: The member for Avon is making a totally unsubstantiated claim about me. He is suggesting that I have made a call for the current system to be abandoned in favour of the normal system of workers' compensation. I clearly outlined in my speech that was not the case. I have never called for the current system to be replaced by workers' compensation. I would use words which were unparliamentary, such as "lie", if I were to go any further.

The SPEAKER: There is no point of order.

*Debate Resumed*

Mr TRENORDEN: Mr Speaker, I can understand why you ruled that out of order, because the motion refers to loopholes in workers' compensation for police officers and for the member for Midland to deny it is ridiculous. What members of the ALP do are matters for their conscience.

Like many other members I have received letters from the general public calling for police officers to be introduced to the workers' compensation scheme. I do not agree with that. I agree we must have a formalised system for the Police Service. I understand that where a system is not formalised there will be concerns. We must recognise that police officers are special. The call from the ALP to have police officers argue for benefits with insurance companies, as happens with other workers now, is wrong. Police officers put their lives on the line doing their duty. I find it remarkable in a democracy that small sections of the public are anti-police. Police officers put their lives on the line and they should receive benefits which recognise that.

Under the current scheme police officers might receive up to four or five years of sick leave without question. If they were part of the workers' compensation system, the associated benefits of being an employee, such as superannuation, would stop. Under the current system they receive sick leave and their superannuation benefits continue to accrue. That is important because many police officers in that position are superannuated out of the system after three, four or five years on sick leave.

Mrs Roberts: No-one is arguing about that. You are arguing with yourself.

Mr TRENORDEN: The member for Midland is arguing with me. I did not raise this issue; the member for Midland did. I asked the previous speaker, the member for Dawesville, how long this officer had been with the Police Service. I presume, it is in excess of 10 years. For that officer to accrue an extra five years of service in a superannuation scheme is a substantial benefit. The only member opposite who understands that is the member for Willagee, because he has debated the superannuation issue in this place before. An extra three or four years as a contributor to a superannuation scheme is important.

Mrs Roberts: Your government has shut them out of the government superannuation scheme.

Mr TRENORDEN: I had a dog like the member for Midland once. He would not chase sheep.

Mrs Roberts: When the member for Avon loses an argument he is rude.

Mr TRENORDEN: I have not lost the argument.

Mr Kobelke: The member for Avon does not have an argument; it is a pile of garbage. He should sit down and stop embarrassing himself.

Mr TRENORDEN: The member for Midland has the support of the member for Nollamara. I can understand why they are embarrassed about putting this motion forward, but they must wear the odium of having done so.

The superannuation scheme will provide some additional benefit to police officers who have been disabled after a serious accident, and this officer may be in this position. I do not know; however, I suspect that in due course he will be superannuated out of the Police Service on full benefits. If he had been on workers' compensation and been away from the employee situation for three, four or five years, he would be in a worse position than otherwise would be the case. I do not understand why the ALP would promote that argument. The maximum benefit under workers' compensation is \$105 000. The current scheme is unlimited for police officers. Why the ALP would want to limit benefits to police officers is beyond my comprehension. There must be a formalised component.

Mr Cunningham: The member should tell police officers they are better off. They do not know that. I had two police officers in my office on Monday morning who did not know that.

Mr TRENORDEN: They should be informed of their benefits. It is remarkable that the ALP wants to reduce benefits to police officers. I have responded to those people who have written to me saying that we need a more formalised system of benefits for police officers; however, it should not be directly associated with the workers' compensation scheme.

**MR NICHOLLS** (Mandurah) [3.27 pm]: I take part in this debate because it is important to support police officers in our community. This was a tragic accident. I hope that the members who are contributing to the debate today and other members of Parliament and political parties making comments about this accident are trying to assist rather than score cheap political points. Members in this place should be above taking advantage of the tragic circumstances.

A member of the family contacted me as the member for Mandurah about eight weeks ago and raised concerns about the lack of benefits offered to police officers when they are discharged from the service with serious disabilities. Until that time I was unaware that police officers are not covered by workers' compensation when they are seriously injured. I made a point of discussing the matter first with the Minister for Police and then with members of the Police Service, including the regional commanding officer. I had a fruitful discussion with a senior member of the Police Service and the Minister for Police. As a consequence of my discussion I wrote to the Commissioner of Police on 5 May outlining, in part, the concerns that were raised with me. It reads in part -

My concerns are based on the belief that Police officers undertake a very special and, at times, dangerous role on behalf of our State. These men and women deserve to know they have the community's full support at all times, including when they suffer injuries which prevent them from continuing their careers in the Police Service.

At present officers suffering a disability that removes their capacity to continue in the Police Service are essentially "retired" with little else than their superannuation benefit. I understand that ex gratia payments have been granted in some cases, however, it is my view that all officers deserve to know that they are covered should they become disabled, from the day they graduate.

One option that may address this problem is "disability insurance". A generic disability insurance cover would provide either a lump sum payment or an annuity payment when an officer is forced to leave the Service as a result of their injuries.

I understand that an accident insurance policy exists, although I am not sure it relates to disability. My understanding is that it does not. If that is the case the Government should pay for disability insurance cover that would cover police officers should they be injured to the point of being disabled in the line of duty and are unable to continue their careers. It should do that on the basis that self-employed people take out disability insurance. I would not like to see the sick leave provisions that are currently provided to police officers removed or the stringent workers' compensation guidelines applied.

If this House is concerned about the cover police officers have when they are serving our community, it is important that we give our full support to the committee that has been set up by the Minister for Police to investigate compensation in the wider term and police officers' duties.

I also wish to raise another point that I think is important, although it was not introduced into this debate; that is, vicarious liability. When an employee undertakes an action which causes injury or damage to another person or property, the employer can be and normally is held vicariously liable. However, my understanding is that police officers are deemed to be individual agents, not employees, and therefore could possibly be sued for damages caused by their actions in the line of duty. That is of grave concern because we ask our police officers to undertake serious and dangerous duties, sometimes requiring instant judgment. I hope the Minister for Police is prepared to ask his review committee also to investigate the issue of vicarious liability or limiting the liability of police officers.

Mrs Roberts: You certainly have the Opposition's support for doing that. We support your comments about vicarious liability.

Mr NICHOLLS: I hope they will have the support of all Western Australians, because one of the difficulties in this case is that we cannot change the rules that apply to Glenn Murray after the event. We can consider how we can assist him, his wife and their family and also try to change the process so that every police officer who serves the community knows that not only does he or she have our support but also in his or her time of need should serious injury occur leading to a disability, he or she will be cared for. In the same way, should a police officer undertake an action that causes damage or injury to another party in the line of duty, that police officer should not be exposed to a common law claim that could lead to the loss of one's home, for instance. It may be more devastating than that.

I urge all members of this House to give their full support to the Minister for Police and the committee he has established, and I trust that the Minister will take on board my comments about liability. I know he has indicated he is concerned also. I hope all members of the House will support the amendment based on good faith and common interest to help Glenn Murray and his family and all other police officers in our State.

**MR KOBELKE** (Nollamara) [3.35 pm]: It is my understanding that we are speaking to the amendment moved by the Minister for Police. That amendment will remove from the motion moved by the member for Midland any criticism of the Government. The facts in this case are a damning indictment of the way this Government has handled Senior Constable Glenn Murray's case and a number of other very important cases. However, we on this side are centring on getting something done. For that reason we will support the amendment moved by the Minister. It refers to the difficult and dangerous responsibility that police officers fulfil in our community and we agree with that; it refers to fulfilling the commitment to ensure they are provided with full and proper financial support when injured and we fully support that; and it refers to supporting the actions of the Government in reviewing the system of compensation for police officers. That is somewhat more difficult to support because the Minister has failed to establish his bona fides on the review. This review has all the hallmarks of a fob off.

In addressing the issue the Minister did not take up the key points made by the member for Midland. Other speakers, except for the member for Mandurah, also skirted around the issue. We want the issues addressed in a way that will resolve the problem for Senior Constable Glenn Murray and his family, for other police officers and for officers who



are currently undertaking their duties to protect the people of this State and who may find themselves in a similar situation.

*Amendment on the Amendment*

Mr KOBELKE: I move -

To insert after the word "officers" on the last line of the amendment moved by the Minister for Police the following -

and,

- (iv) that the report of the Minister's working group be tabled in the Legislative Assembly on or before the first sitting day of the spring sittings 1997.

That would ensure that the Minister delivers. This case and a number of other cases have dragged on for far too long. The key point at issue is that this Government in this instance and in many others is less than gracious when it must deal with the difficult cases. That does not apply only to police officers. This Government believes that the people who do not have much power and who have difficulty having their rights upheld can be brushed aside. The \$80 000 offer was an attempt to brush this family aside. It was a despicable act against an officer who was serving this State and in the line of duty ended up in the situation in which Senior Constable Glenn Murray finds himself.

Police officers of this State run a risk to themselves and their families in doing their duties. Many officers are now living within their physical beings with the consequences of performing their duties. That is enough of a burden for them to carry without the problems of their having to uphold their rights and get some form of reasonable payment from the Government to enable them to live a reasonable existence. That is all we are asking for from this Government. We want people such as Senior Constable Glenn Murray whose lives have been altered in the line of duty to get reasonable compensation from the Government to meet ongoing medical and health costs. That situation must be addressed.

We support the Government's review, because there are some legal complexities. However, it must address the issue and do something about it within a short time frame. Given that it is an internal review, it need not be delayed while the Government advertises or waits for public submissions. The Government has all the expertise. It has the files because the Police Union and the Government have been carrying on this argument for years. This is not a new situation for the Government or for the Police Service. The Government already has plenty of information; it must be drawn together for an evaluation to be made and to arrive at a solution. The Government can then decide on those recommendations.

If the Minister for Police is serious about doing something in this area, within two or three months a report of the review committee could be tabled in this Chamber. We do not say that at that stage the Government will have made its response. However, we cannot understand why such a report cannot be tabled to enable all members of Parliament to assist the Government in its decision making process to resolve the problem.

The Government will have our full support for any solution that improves the compensation arrangements for people in the untenable situation of Senior Constable Glenn Murray and his family. He is not the only one in that situation. Therefore, I ask the Minister to establish his bona fides and show that he is addressing the issue and not simply fobbing it off because of media pressure. He should support our further amendment. We can then vote in unison and support the review.

Amendment (as moved by the Minister for Police) put and a division taken with the following result -

Ayes (33)

Mr Ainsworth	Mrs Hodson-Thomas	Mrs Parker
Mr Baker	Mrs Holmes	Mr Pandal
Mr Barnett	Mr House	Mr Prince
Mr Barron-Sullivan	Mr Kierath	Mr Shave
Mr Board	Mr MacLean	Mr Sweetman
Mr Bradshaw	Mr Marshall	Mr Trenorden
Dr Constable	Mr Masters	Mr Tubby
Mr Court	Mr Minson	Dr Turnbull
Mr Day	Mr Nicholls	Mrs van de Klashorst
Mrs Edwardes	Mr Omodei	Mr Wiese
Dr Hames	Mr Osborne	Mr Bloffwitch ( <i>Teller</i> )

## Noes (17)

Ms Anwyl  
Mr Brown  
Mr Carpenter  
Dr Gallop  
Mr Graham  
Mr Grill

Mr Kobelke  
Ms MacTiernan  
Mr McGinty  
Mr McGowan  
Ms McHale  
Mr Riebeling

Mr Ripper  
Mrs Roberts  
Mr Thomas  
Ms Warnock  
Mr Cunningham (*Teller*)

## Pairs

Mr Cowan  
Mr McNee

Dr Edwards  
Mr Marlborough

Amendment thus passed.

Amendment on the amendment put and a division taken with the following result -

## Ayes (19)

Ms Anwyl  
Mr Brown  
Mr Carpenter  
Dr Constable  
Dr Gallop  
Mr Graham  
Mr Grill

Mr Kobelke  
Ms MacTiernan  
Mr McGinty  
Mr McGowan  
Ms McHale  
Mr Pental

Mr Riebeling  
Mr Ripper  
Mrs Roberts  
Mr Thomas  
Ms Warnock  
Mr Cunningham (*Teller*)

## Noes (31)

Mr Ainsworth  
Mr Baker  
Mr Barnett  
Mr Barron-Sullivan  
Mr Board  
Mr Bradshaw  
Mr Court  
Mr Day  
Mrs Edwardes  
Dr Hames  
Mrs Hodson-Thomas

Mrs Holmes  
Mr House  
Mr Kierath  
Mr MacLean  
Mr Marshall  
Mr Masters  
Mr Minson  
Mr Nicholls  
Mr Omodei  
Mr Osborne

Mrs Parker  
Mr Prince  
Mr Shave  
Mr Sweetman  
Mr Trenorden  
Mr Tubby  
Dr Turnbull  
Mrs van de Klashorst  
Mr Wiese  
Mr Bloffwitch (*Teller*)

## Pairs

Mr Marlborough  
Dr Edwards

Mr Cowan  
Mr McNee

Amendment on the amendment thus negatived.

*Motion, as Amended*

Question (motion, as amended), put and passed.

**FISHING AND RELATED INDUSTRIES COMPENSATION (MARINE RESERVES) BILL***Second Reading*

Resumed from 27 May.

Question put and passed.

Bill read a second time.

*Committee*

The Chairman of Committees (Mr Johnson) in the Chair; Mr House (Minister for Fisheries) in charge of the Bill.

**Clauses 1 to 4 put and passed.**

**Clause 5: Compensation for loss suffered -**

Mr GRILL: I will comment on clause 5 as it relates to clauses 6 and 9. Clause 5(1) states -

A person who holds an authorization is entitled to fair compensation for any loss suffered by the person as a result of a relevant event.

"Relevant events" are defined in the Act.

Subclause (2) then states -

For the purposes of subsection (1) a person suffers loss if and only if the market value of the authorization held by the person is reduced by . . .

A number of circumstances are then set out in paragraphs (a) to (f).

Subclauses (5) and (6) contain further conditions which apply and subclause (5) states -

Subsection 2(e) does not apply to a person unless the person obtains a certificate from the Executive Director stating that, in the Executive Director's opinion, the area has a proven history of being used for fishing under that authorization.

Subclause (6) states -

Subsection 2(f) does not apply to a person unless the person obtains a certificate from the Executive Director stating that, in the Executive Director's opinion, the area has a proven history of being used for fishing under the related authorizations.

To trigger a claim for compensation under proposed subsections 2(e) and 2(f) a certificate must be obtained from the executive director of fisheries, and a claim cannot be made unless such a certificate is obtained.

Clause 9 allows a tribunal to make a determination of the quantum of compensation that might be payable in the event that a particular person is eligible to bring a claim. A person will not be eligible to bring a claim under proposed subsections 2(e) and 2(f) unless they receive the certificate I have referred to.

I referred to clause 6 during the second reading stage of the debate, but I do not think the Minister understood what I was referring to. Subclause 6 is a lot more than a notification clause; it represents a condition precedent to be able to bring a claim. Unless clause 6 is satisfied, a person cannot bring a claim under clause 7 because clause 7 specifically refers to clause 6, and a person does not have any right to go before a tribunal in the event that the Minister exercises his discretion, or exercises his right, under clause 6 to issue that notification.

Parts of clause 5 and the whole of clause 6 represent condition precedents to bring an application for compensation. Clause 9 does not give any right for the tribunal to hear anything other than a question about the amount of compensation. This makes the Minister the protagonist when a person wants to negotiate a claim for compensation and he can absolutely deny a claim by not allowing a condition precedent to be set. That is a dangerous situation and I have misgivings about it.

Mr RIEBELING: The ALP has a concern about the way clauses 5, 6 and 9 relate to each other. I raise another matter of compensation for people not actively involved in a section of a fishery to be affected by one of the new reserves. I refer to the crayfishing example at Burrup. Subclauses (5) and (6) indicate that the certificate given by the executive director is not specific to the person, but to the entire fishery. Even though the reference begins with "to a person", the last part of each subclause refers to the area having a proven history of being used for fishing under that authority. Therefore, it does not necessarily apply to the person. A person who has not been using the fishery could still claim compensation if that part of the fishery is removed from his authority to fish commercially within that prohibited zone. That is a weakness which will cost the State more money than the provision intends.

I shall run over the other problems of the compensation trail. If a person engaged in a fishery is somehow affected by the change in the zoning, presumably the Minister will make the decision because he has the power of veto over the new zonings. The Minister will make a decision to cut the ability within a professional fishing licence to operate in a certain area. Then the executive director will support the Minister's decision to prohibit, and will face the position of the Minister stating that he wishes the department to suffer as small a financial loss as possible. His executive director will be placed in a position of producing a certificate showing the value of that fishery.

Some conflict of interest arises in that provision. The Minister will notify any affected person to trigger the compensation process. The problem is that if the Minister does not send that notice, how does one gain access to compensation?

Mr House: Clause 6(1) states that the Minister "must" notify - he has no option.

Mr RIEBELING: That is right. However, what happens if it does not occur?

Mr House: It cannot not happen. The Minister must notify.

Mr Grill: It can.

Mr House: How?

Mr Grill: It could be on the basis of your judgment which might be quite different from that of the fisherman.

Mr House: It is not a matter of judgment. The Minister must advise - it is clearly stated. It is not a matter of ministerial judgment, but of fact.

Mr Grill: I do not agree.

Mr RIEBELING: If the Minister failed to notify through some clerical error, the person would be prohibited from complying with clause 7 in responding in the prescribed form - I presume that is the one referred to in clause 6(1)(c). The tribunal should be able to determine quantity, and also whether a person has a right to claim. I do not see a huge problem in allowing the tribunal to determine that right.

Mr HOUSE: I accept the argument that clause 5 links to clauses 6 and 9. In returning to the member for Eyre's original point, clause 5(5) and (6) are simply to determine the validity of the claim by the executive director issuing a certificate which says that a person has a right to fish. In other words, a proper licence to fish applies. The next decision can then be made by virtue of that process. As the member rightly said, one must have a process in the legislation which says clearly that a person has a right to fish in the area.

As a former Minister for Fisheries, the member would be aware that a lot of subleasing takes place in the fishing industry. People lease their right to fish in some areas to other participants in the fishing industry. A series of those cross-leasing arrangements can be found.

Mr Grill: You know how complicated they can become.

Mr HOUSE: It can be very complicated indeed. We need the director to be able to say that a person has access to an area.

Mr Grill: So far we agree on everything you have said.

Mr HOUSE: That provision simply lays down a process by which the Minister and the tribunal, if it is brought into play - which is the subject of another discussion to be held in a minute - can make a determination that the person has a proper and lawful right to fish in the area concerned. He then proceeds to the next basis.

Mr Grill: On the basis of the fishing industry.

Mr HOUSE: Yes.

Mr Riebeling: It does not say that towards an individual.

Mr Grill: It says "to a person".

Mr HOUSE: It must apply to a person because a person must apply.

Mr Riebeling: The executive director's certificate is to give the opinion that the area has a proven history of fishing under authorisation.

Mr HOUSE: A person must apply as licences are issued to people in the fishing industry. The complication which arises in the fishing industry is with aggregate leases and cross-leasing. As the member for Eyre said, these processes create enormous misunderstandings about who is allowed to fish in an area. We need to be clear about who may not be compensated. If we agree that the process is proper, and that it is necessary to lay down the requirements for the person to be compensated, we may move to the next point which relates to the next clause. I seek your guidance, Mr Chairman, as the clauses are linked. If we resolve the issue to everyone's satisfaction on clause 5, perhaps we could move on.

Mr GRILL: We agree with you in respect of the main points - namely, those you have explained to date. However, we do not believe that that goes far enough, or that you have understood our arguments.

Mr House: Where does it not go far enough?

Mr GRILL: Members on this side agree with the Minister that we must have this process and this opinion given by the director. There might be an argument that he is not at arms' length from this whole process, but we will leave that to one side at the moment. Clause 5 provides a number of situations in which an authorisation can be affected. The executive director must give his opinion as to whether there is a proven history in a particular area referred to in subclauses (2)(e) and (f). It is an opinion in relation to a factual situation, and that is all it is. Wherever one has people expressing opinions, no matter how well qualified they are - we do not doubt that the director is well qualified - and especially where the situation is complicated, as the Minister has suggested, one gets into disputes about facts. Unless the director issues a certificate in this situation, that person has no right to compensation. It is possible that the director will make a mistake, as he has done in the past.

Most fisheries legislation provides an escape clause; that is, an appeal avenue from the director to the Minister, and the Minister can review the case. It is not called an appeal, but it is a review by the Minister. In this instance, there is no review or appeal provision. If the director, in his opinion - that is all it is - decides against a person, that person has no right to take the matter any further. In fact, the person cannot take the claim to the Minister; the Minister will not have anything to consider.

Mr House: I suggest that the member move an amendment adding a subclause (7) providing that, in the event of the executive director's not issuing such a certificate, there will be a right of appeal to the Minister with regard to the issuing of that certificate.

Mr GRILL: The Opposition would be delighted to do so.

Mr Riebeling: I am happy with the proposed amendment.

Mr GRILL: I move -

Page 6, after line 19 - To insert the following subclause -

(7) In the event of the Executive Director not issuing a certificate within a prescribed time, the affected person may appeal to the Minister requesting that the decision be reviewed.

Mr HOUSE: I am happy to accept the amendment. It clears up the problem and it is appropriate.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clause 6: Notification of affected persons -**

Mr RIEBELING: Subclause (2)(b) states that the notices are to be published in such other manner as prescribed. What does the Minister envisage that to be? Paragraph (a) states that they shall be published in a newspaper or a fishing magazine. I wonder what the Minister foresees with this provision.

Mr HOUSE: Since I have been the Minister, the practice has been to notify all participants in fisheries by letter, because that is more appropriate and direct. Although the advertisements might be placed widely in newspapers, my view is that direct contact is needed. That might be one other way of notifying people; that is, it might be prescribed that notification must be by letter. That is my preference, because it is the best way.

Mr RIEBELING: I would like to suggest that a letter to the affected person is the way to go. Members of the public are interested in advertisements in a statewide newspaper about the affected area etc, and in that case advertising in the newspaper is the best way to go; however, I take the Minister's point.

Mr GRILL: I am a little concerned, as I mentioned earlier, about the effect of clause 6. This clause sets a condition precedent to bring in a claim. In other words, a claim cannot be brought under clause 7 unless the Minister has issued the necessary notice under clause 6. In most instances I imagine there would not be a dispute about whether one of the events set out in clause 5 has happened.

Mr House: Particularly, not now that we have put in the extra subclause. That adds a bit of weight.

Mr GRILL: The Minister is being generous in accepting that last amendment. I want him to think about a situation - not only today but also perhaps after the Bill has been passed - where there could be a factual dispute about whether an amended management plan, a management plan, a sanctuary area or a recreation area etc had occurred and a person had been affected. One of the things the Minister must do in issuing a notice under clause 6 is to state that a relevant event has occurred; the nature of the relevant event; that affected persons may apply for compensation; and then how, when and in what form affected persons may make the application referred to in paragraph (c).

In most cases that would be fairly straightforward; however, life is not straightforward. There may well be situations where there is a dispute on a factual basis, as to whether any of those events has happened; whether any people are affected and, if so, who. It seems to me that unless the Minister issues the notice and sets out all the facts in the notice, a person could miss out on being able to claim compensation and would not have any redress because that person could not go to the tribunal as it is concerned only with the problem of quantum, not whether a person is entitled to compensation. There are no checks and balances. If the tribunal could also determine whether a person was entitled - that is, whether a person is an affected person - there is a clear right of appeal; however, there is no right of appeal under clause 6. The Minister might make a mistake. If he does and excludes an area or overlooks a relevant event or excludes an affected person or a group of affected people, there is no way that can be argued before the tribunal.

I am not suggesting we might take another amendment on the run; however, I would like the Minister to think about that situation. Nearly all of the fisheries legislation, because of its complicated nature and factual situations, ends up with some fairly nasty factual disputes. It may be that we need those checks and balances to ensure people are not missing out. Quite often the Minister wants to see the provisions in there so he can ensure such a matter is redressed.

Mr HOUSE: The member has made a relevant point. I will obtain more advice between now and when the legislation goes to the other place. If the member will accept that, I will discuss it with him prior to its being debated there. If some adjustment or amendment needs to be made, we can do that. Is the member prepared to accept that?

Mr Grill: We will agree with that.

The CHAIRMAN: I remind members that a typographical error appears in clause 11 which, under standing orders, I can order to be corrected. It is in the last line of subclause (2)(b) which states 1997. It should read 1994.

**Clause put and passed.**

**Clauses 7 to 13 put and passed.**

**Schedule put and passed.**

**Title put and passed.**

Bill reported, with an amendment.

## **GRIEVANCE - WESTRAIL**

### *Employees - Travel Entitlements*

**MS MacTIERNAN** (Armadale) [4.32 pm]: My grievance is about the unilateral action taken by Westrail to summarily terminate interstate travel entitlements of its existing, retired and redundant employees. I touched on this matter briefly in a 90 second statement a fortnight ago.

On 21 April 1997 an internal memo was issued by Westrail saying that all fare concessions on Australian National Rail services to existing employees, retirees and redundant workers would cease from 1 July 1997. The union representing those workers was not advised of this decision in accordance with what now appears to be standard practice of highly questionable Westrail management.

The union found out about this change of policy only when a copy of the memorandum fell off the back of a truck. Many of the affected employees and retirees were first alerted to it when they heard it on the 6PR Rumours File a few days after the memo was issued. Indeed some of the people who contacted me after that broadcast told me they had trips planned for later this year.

The concession is a free trip each year to which various retirees are entitled. Retired workers must have, I think, at least 30 years' service before they are eligible for one free trip a year. A special provision was made for redundant employees in the early 1980s as part of their severance package. A person who takes voluntary severance can benefit from one free trip a year provided he has accumulated at least 10 years' service and is aged 55 before taking redundancy.

The concession has been outside the severance area and part of the general conditions of Westrail employees since prior to World War II. It has encouraged long service and it has been an important part of the package to Westrail employees who were not generously paid for their work. It was also in recognition of the fact that they were often moved from place to place by Westrail and worked irregular hours.

Even if the Government decided it wanted to remove this scheme it had no moral or legal right to do it retrospectively. Those who have already accrued their entitlements are morally and contractually entitled to continue

to enjoy those rights. We would not allow rights that we have accumulated, such as our superannuation scheme, to be retrospectively altered.

I understand the Minister for Transport put something to Cabinet to have the entitlement of members of Parliament and former members reviewed, but Cabinet rejected it. However, we are happy to see the much lower paid Westrail workers cop it.

The justification given by Westrail in its internal memorandum is that Australian National Rail is about to be sold. That is completely irrelevant. The Westrail documents show that Westrail paid full fares for these trips. What possible difference could it make that Australian National Rail was then to be sold, unless the Government does not believe that the fares will remain at approximately the same rate under privatisation? The Government is always telling us that privatisation is cheaper.

The other factor we must consider is exactly what those concessions cost Westrail. Although many thousands of retired and existing employees of Westrail are entitled to a concession only about 70 use it each year. Last year it was 70 and the year before it was 72. On my rough calculations it would cost about \$70 000 a year to preserve the entitlement.

The Minister for Transport has told us time and again that Westrail is making a profit. It is extraordinary therefore that it proposes to remove a scheme which costs a modest sum and has formed part of the conditions of employment of workers since before the war and which is part of a severance package.

I understand Cabinet has expressly ruled out that happening to members of Parliament. We would not allow that to happen to businesses. Many Bills come before this Parliament which seek compensation for businesses and licence holders whose rights have been affected by alteration of government policy.

There is no suggestion of compensation being paid in this case. Unilateral and retrospective severance is to apply to long held entitlements of Westrail employees without any attempt at negotiation or even the decency of advising the employees and retirees as to what is happening. It is a disgrace and a reflection on Westrail management practices.

**MR OMODEI** (Warren-Blackwood - Minister for Local Government) [4.40 pm]: I thank the member for Armadale for the grievance. The Minister for Transport's office has provided me with some notes. I have doubts about the retrospectivity aspect, but I will check on it. The employee entitlement which will no longer apply from 1 July 1997 includes free travel on the interstate service each year for the employee, his spouse and dependant, excluding sleeping berths and meals. A retired employee who had 30 or more continuous years of service is entitled to a 50 per cent concession fare for himself and spouse each year on interstate services, excluding sleeping berths and meals.

I understand Australian National Railways took over responsibility for the single management of interstate passenger train services in April 1993. Since then, Westrail's only involvement with the operation of interstate passenger trains has been through the provision of services under contract arrangements with ANR. Concurrent with ANR taking over those services, Westrail has been required to pay it the full actual cost of free interstate travel granted to its employees. In addition to the fees paid to ANR, Westrail has been required to pay the fringe benefits tax. I have a table which may be of interest to the member.

Ms MacTiernan: The justification the Minister is trying to give is that it is selling.

Mr OMODEI: The member should let me finish. By incurring the interstate travel costs from April 1993 to 30 June 1997 inclusive, Westrail has demonstrated quite clearly that it has given significant support to its employees. The member for Armadale is correct: ANR will be sold this year, apparently fairly soon. A decision on the timing of the withdrawal of the privileges had to be made not only for budgetary reasons, but also to facilitate the travel plans of employees. Accordingly, a decision was made to withdraw interstate travel privileges for Westrail staff from 1 July 1997.

I have a table of the example of costs incurred by Westrail for free travel by its employees on interstate railway services. I will table it with the briefing notes for the member's information.

[See paper No 428.]

Mr OMODEI: The table shows the fares paid, the fringe benefits tax and the total cost. From 1 July 1996 to 23 May 1997 the interstate travel by current and former Westrail employees included fares of \$254 672 and fringe benefits tax of \$92 564 which totals \$347 246. It is nothing like the member's estimate of \$70 000. It is a significant amount and obviously ANR will be sold.

Ms MacTiernan: What difference does it make?

Mr OMODEI: Westrail is operating for ANR under contract. In spite of what the member said, she must agree that Westrail has been loyal to its employees and has continued to pay these generous interstate travel costs. I wonder how beneficial the travel entitlements of members of Parliament really are. They might be beneficial to city members. I have not used my free rail travel in the eight years I have been in this place.

Mr Thomas: I use it at least once a year.

Mr OMODEI: That is very good. Westrail has maintained the entitlements to its employees.

Ms MacTiernan: They handed out a document about the severance entitlements at the beginning of this year. It said that when the employees signed their severance package this was what they would receive. How can you unilaterally alter their rights?

Mr OMODEI: That comes down to the retrospective aspect. I wonder how many employees take up the travel entitlement?.

Ms MacTiernan: About 70 a year.

Mr OMODEI: One cannot say that Westrail has not funded its employees' travel entitlements over the years. Currently, ANR is selling out and Westrail cannot continue to fund what is a generous package.

Ms MacTiernan: It has a contractual arrangement.

Mr OMODEI: I have always listened very carefully to the member for Armadale. However, she has been quite rude with her interjections. She knows very well that I am not the Minister for Transport. I am acting for him in this place. If the member wants to take the matter up with the Minister, I suggest she do so. These notes have been provided to me by the Minister's office. What is in the notes is justified. Westrail employees have been looked after by Westrail for a long time.

## **GRIEVANCE - BUSSELTON BYPASS**

### *Construction*

**MR MASTERS** (Vasse) [4.46 pm]: I wish to again raise an issue which is very close to my heart; namely, the need to speed up the construction of the Busselton bypass. Therefore, I direct my grievance to the Minister representing the Minister for Transport.

The population of Busselton is expanding at about 7 per cent per annum. It is the second fastest growing local government authority in Australia, second only to Hervey Bay in Queensland. The growth in population is imposing a lot of pressures on government and private services. One area which is under pressure is the road network.

I will try to explain to the House how urgent is the construction of the Busselton bypass. It should be constructed sooner than later. In addition to the population increase, an enormous amount of development is occurring in the Margaret River and Dunsborough areas. The population of Dunsborough is increasing at a rate of 17 per cent. Margaret River is not far behind it.

Mr Thomas: Seventeen per cent a year?

Mr MASTERS: Yes. The traffic which is going to Dunsborough, Margaret River and Augusta, which is beyond Margaret River, is being forced to drive through the centre of the Busselton townsite. To cope with the development to the west and south of Busselton as well as the internal growth, the Busselton central business district is expanding down Bussell Highway from the main Queen Street business area.

Members who know Busselton will be aware that after crossing the Vasse River they come to traffic lights and turn left to go down Bussell Highway. It is that stretch of road, for approximately one kilometre, where urban dwellings are being replaced by commercial and retail business. The traffic volume on this section of Bussell Highway is causing some major problems. The first problem is the severe vehicle congestion, especially at certain times of the year. Busselton has its own peak hour, but it is not as severe as peak hour in the Perth business district. Nonetheless, it is severe and it causes problems. During the school holidays, particularly the summer holidays, even the Premier of this State can be caught in traffic. When the Premier visited Busselton to open the Port Geographe development he was caught in traffic which stretched for 3 kms.

Mr Pandal: Will that help your case?

Mr MASTERS: I certainly hope it will.

Ms MacTiernan: You didn't stage it, did you?



Mr MASTERS: I decline to comment on that. The second problem caused by the volume of traffic on that road is that the risk of motor vehicle accidents is far higher than it should be. Busselton has an aging population and a lot of elderly people have retired to the town. Many elderly people are hesitant about entering and exiting major roads. The third problem is that the heavy vehicles using that section of Bussell Highway are causing a lot of damage to the road surface.

The bypass has been considered for 20 or 30 years. Main Roads Western Australia estimates the bypass will remove only about 15 per cent of vehicles from the central Busselton area. Almost all of that 15 per cent will be the heavy truck movements. In terms of axles on the road, it will probably equate to a 30 to 40 per cent reduction in traffic going through Busselton. The Busselton bypass will make a significant difference to the safety and quality of driving on that section of Bussell Highway.

The Minister for Transport provided me with a copy of the most recent 10 year plan for major roadworks in Western Australia. The document, dated April 1995, is entitled "Roads - Building for a Responsible Future". Unfortunately I could not resist the temptation of going through this document and identifying projects that should be deferred for a few years so the money can be allocated to the Busselton bypass. If I were the Minister for Transport, I would place a somewhat lower priority on a number of roadworks throughout Western Australia than on the Busselton bypass.

I pose two questions to the Minister: Will the Minister consider reviewing this 10 year plan to see whether there is scope for the deferral of certain roadworks outside the Vasse area so the Busselton bypass can proceed earlier than is planned? My second question relates to a certain amount of rejigging of arrangements in the Vasse area: Will the Minister defer the widening to four lanes of the existing Bussell Highway from roughly the centre of the Busselton townsite, 3 kilometres west of Queen Street, to the Margaret River turnoff at Abbey, otherwise known as Monaghan's Corner? This may not seem an important issue that warrants relocating funds from one area into the Busselton bypass; nonetheless, I have received representations from local people who believe strongly that the Busselton bypass should proceed prior to the Government's road upgrading proposal for the Bussell Highway widening being implemented.

**MR OMODEI** (Warren-Blackwood - Minister for Local Government) [4.52 pm]: I thank the member for Vasse for the grievance. I have been provided with some notes on this matter. I have a closer knowledge of this matter than of the previous subject. The project to construct the Busselton bypass is considered by the Government as a high priority, and the strong local support for the roadworks to begin at the earliest possible time is acknowledged. Main Roads Western Australia is taking every opportunity to bring forward the project. That placates part of the member's concern.

The preconstruction activities, such as the acquisition of land and planning and design, are already under way and have been for some time. The construction works are planned to commence in 2000-01 and the bypass is expected to be open to traffic in 2002-03. I understand the Minister for Transport has agreed to meet the member for Vasse shortly and that he is happy to discuss that matter further.

Mr Masters: I should point out that those dates you just mentioned are another year or two beyond what was previously advised to me.

Mr OMODEI: I acknowledge that, but they are matters the member for Vasse should take up with the Minister when he asks the Minister to review the plan. The upgrading of the Bussell Highway to four lanes from the end of the current four lanes to the intersection of Caves Road is urgently needed to cater for existing and future traffic generated by the increase in resort developments in the electorate of the member for Vasse and the Warren-Blackwood electorate, and also along that section of Geographe Bay. It is anticipated the construction of the bypass will not significantly reduce the volume of traffic using Bussell Highway, but will reduce major peak flows that occur during holiday periods. Improvements to the existing Bussell Highway must be made to cater for that rapidly increasing volume of local traffic. Whether the bypass is built or not, Bussell Highway will remain an important arterial road. The density of traffic in the Dunsborough and Yallingup areas is increasing, along with developments along Caves Road. Some of the traffic to, say, Karridale and Augusta will be diverted down Sues Road when it opens. I suspect many people will use Sues Road as a bypass to the centre of Busselton. However, Sues Road will not cater for people going to Dunsborough, Yallingup, Wilyabrub and Cowaramup.

Mr Thomas: When are you going to seal it?

Mr OMODEI: Sues Road is sealed.

Mr Masters: Pressure is developing to seal the Mowen Road.

Mr OMODEI: I was just coming to that. Sues Road is a massive highway, like a major airstrip. It is a fantastic road that will drag a lot of traffic away from Busselton, particularly traffic heading south to Augusta, Karridale and

Margaret River. A short section of Mowen Road is yet to be sealed. Mowen Road extends from about 2 kilometres south of Margaret River across to just north of Nannup. The state of that road needs addressing. If the Minister is to review that 10 year plan, he should consider sealing that road because it will take the overflow of tourists from Margaret River into Nannup, which has been affected by the construction of Stewart Road, one of the roads that is being constructed as a result of the BHP and Jangardup mining projects.

There is some work to be done. Mowen Road will provide good access through Rosa Brook into Margaret River. I think it will open up the Rosa Brook area for horticulture and possible closer subdivision, particularly viticulture production. It will be a major boon for that area. There is no doubt that with the popularity of Busselton, Dunsborough and Yallingup as tourist destinations, the traffic burden will only increase. The bypass must be built, sooner rather than later. The member for Vasse can take up the matter with the Minister not only on his behalf, but on my behalf as the member who represents that bottom corner of the State and as someone who has lived there for a long time. The Minister for Transport's meeting with the member would be a great opportunity to discuss those matters further. The Minister for Transport has been receptive to approaches by the Nannup Shire Council and the Augusta-Margaret River Shire Council for discussions about Mowen Road and the roads in that immediate area. Although people sometimes criticise mining development, the development of the Jangardup deposit and the BHP deposit at Beenup has meant that the roads in that immediate area have been upgraded to a high standard. It has cut by about half an hour my travelling time from Pemberton to Margaret River. That gives members an idea of the standard of roads in that area.

The Government has gone a long way in this matter. There has been a joint venture between the mining company and the State Government. However, that has not solved the problem of the bypass for Busselton. I will bring this grievance to the attention of the Minister for Transport, but the member will have the opportunity to meet the Minister and discuss the matter directly in the near future.

## GRIEVANCE - SPORTING FACILITIES

### *Southern Metropolitan Area*

**MR THOMAS** (Cockburn) [4.58 pm]: I direct my grievance to the Parliamentary Secretary to the Minister for Sport and Recreation. My grievance is essentially that there is a lack of major sporting facilities in the southern part of the metropolitan area. My grievance is prompted by two things: First, for some years the City of Cockburn has proposed the development of a major sporting centre in Jandakot by a freeway off-ramp. The City of Cockburn has been pressing that proposal for many years, and before I became the member for Cockburn. The proposal is not just a parochial decision made by the City of Cockburn, but has been adopted by the south west metropolitan local authorities group. This group is a federation of local authorities in the south west corridor of the metropolitan area, and it is commonly recognised nationally as one of the best, cooperative organisations of local authorities in Australia. It was the first to be set up in Western Australia, and in my experience it is the best. That group comprises the Town of Kwinana, the City of Rockingham, the City of Cockburn, the City of Fremantle, the City of Melville and the Town of East Fremantle. It represents a substantial proportion of the metropolitan area stretching from Canning Bridge down to Rockingham. All those local authorities have agreed there should be a major sporting facility in that corner of the metropolitan area south of the river. They also agree, parochial interests notwithstanding, that it should be located in the City of Cockburn in an area zoned and set aside for that purpose in Jandakot. The site is conveniently located off a freeway off-ramp, hence it would be accessible from the metropolitan area via the freeway system and, ultimately, I hope by public transport with the extension of the rail system.

I was disturbed to hear in the media last week reports of a press statement by the Minister for Sport and Recreation indicating he had commissioned Cox Howlett and Bailey Architects and Planners, to conduct a \$50 000 study into the need for a new international standard multipurpose sports stadium in Perth and to make recommendations on where it should be located. I understand it might be necessary to establish the need for that stadium. If that need does not exist at present, it certainly will in time. The ministerial statement referred to soccer, the two rugby codes and athletics, and queried whether a new top of the range sporting facility could be justified in the metropolitan area. It has been suggested that soccer, which has boomed this year with the success of Perth Glory, should use a football field and to date it has been using the Perth Oval. However, it aspires to a home of its own, as do other sports, although some have suggested that Perth Glory should share the home of other sports. I understand why Perth Glory wants its own home, and I support that aspiration.

The major sporting facilities in the metropolitan area are all located north of the river, and ignore the fact that a substantial proportion of the population of Perth, and it is a growing proportion, live south of the river. Increasingly people are living further south, as far as Rockingham as far as the south west metropolitan local authorities group is concerned and beyond that as far south as Mandurah. I am sure the member for Mandurah will acknowledge that those people wish to have sporting facilities located close to them. In the metropolitan area the major sporting facilities are: Subiaco Oval which is the home of football, the Western Australian Cricket Association ground which

is the home of cricket and, although it has been used for football matches, I understand in future it will have a declining or no role in hosting Australian rules football matches; Perry Lakes, a facility left over from the Commonwealth Games that has a questionable future because of its size and some of its facilities; and the Challenge Stadium in Mt Claremont. Each is located north of the river and not one is conveniently located, not even for many people living north of the river and certainly not for those living south of the river.

The south west metropolitan local authorities group is a non-parochial organisation in the sense that the local authorities involved do not compete among each other about where facilities should be located. They have realistic aspirations for what they should provide for the total metropolitan area and divide them rationally among themselves. They also have vision because the facility was first mooted some time before Perth launched a bid to become the Australian nominee for the 2002 Commonwealth Games. The group envisaged at that stage that a bid would be made for a Commonwealth Games or some other major sporting event, and that Perth, notwithstanding its continuing domestic sports, would need a top of the range multipurpose venue which should be located south of the river. Its vision was confirmed by the fact that Perth launched a very realistic, but sadly unsuccessful, bid to become the Australian nominee for the site of the 2002 Commonwealth Games. It is my hope, and I am sure it is the hope of all members, that at some stage Perth will be successful in hosting such a major event and, when it happens, a major sports facility will be needed such as that to be examined by the firm of architects. We should make provision for these facilities now, and the argument is overwhelmingly that it should be located in the Cockburn electorate at the site in Jandakot that has been earmarked by the City of Cockburn, which has been supported by the surrounding local authorities.

**MR MARSHALL** (Dawesville - Parliamentary Secretary) [5.06 pm]: As the third generation of a Fremantle born and bred identity and as the member for Dawesville who has lived in Mandurah for the past six years, I hear the member for Cockburn loud and clear asking about the provision of sporting facilities south of the river. I agree with him about the vision of the local government organisation in Cockburn and the south west metropolitan local authorities group that was developed seven or eight years ago. I believe it was instigated by the vision of the Town Clerk of the Town of East Fremantle, who is well known as a great administrator and footballer from East Fremantle, Merv Cowan. He had tremendous vision in a number of areas. He saw the vision of an Australian Football League side, namely, the Fremantle Dockers. He was the member of the football commission who saw the need for another side from the country in the Western Australian Football League. He also helped to get Peel Thunder off the ground. When a group such as the south west metropolitan local authorities group and a man such as Merv Cowan are behind that vision, people are inclined to think it is right. It is right because everything in the developing Cockburn area has had tremendous success; for example, the Davilak oval where South Fremantle and the Dockers have played and the junior development that has produced many champions. The Cockburn tennis club has produced many champions, as has the Cockburn bowling club. What better clubs are there in Australia than the Cockburn bowling club and the Dalmatinac soccer club, which now has a magnificent bowling arena and the indoor centre?

The member is absolutely correct. The Ministry for Planning supports the idea put forward by the south west metropolitan local authorities group. The press statement released by the Minister stated that an investigation would be carried out to determine whether it would be viable to establish a new stadium for use by the combined four sports. I understand the City of Cockburn was intent on providing a special arena for soccer in the area. As the member knows, it would be a very viable place in which to establish it because a great deal of soccer is played there. The \$50 000 study to be carried out by Cox Howlett and Bailey will test the viability of building a new international standard multi-sports stadium, and it will take five months to carry out that study. It will test whether soccer, rugby union, rugby league and athletics can work together in a new stadium, and whether a suitable location can be found that will be viable for each of these sports centres. A number of issues must be considered, and location is one of them. When the location is selected, will the local authorities accept that it will be an international stadium that is for only elite use? Do they want a regional stadium that goes through the junior development area and promotes sport throughout the community or one stadium dedicated to elitism? The member mentioned Subiaco Oval. Only the Eagles can have that as their home ground. It is manicured grass, and few junior development matches are played on it. Only the elite teams play there. It is a big decision for a local community to make, because that is a lot of money to spend for only elite people.

The next matter that must be considered is whether those sports will be able to work together. Will the seasons overlap? Will there be conflict? Will all of the sports want to use the lights at the same time? Will the surface be right? It has been suggested that rugby and soccer playing surfaces be interchangeable and that a standard 400 metre athletics track be accommodated within the main stadium. Will the stadium, wherever it will be located, have the correct atmosphere to become the major sporting arena in Western Australia?

The member for Cockburn mentioned soccer. No team has been more electrifying in starting off than Perth Glory. There is no doubt that we need a soccer stadium. In Rugby Union, if the super 12s were extended to a super 14 competition and the extra side for which Victoria and Western Australia were vying came to Western Australia, what

could be better than to provide a magnificent stadium to kick off this international meet? The Western Reds are looking for a stadium. We all know that the athletics track at Perry Lakes is outdated. It would be excellent if those sports could be combined under one roof in a new stadium.

However, a new stadium must be financially viable and satisfy the town planning issues. The feasibility studies have identified 15 sites: Curtin University, which is south of the river; Joondalup Arena; Bateman Reserve, which is also south of the river, in case the member does not know; Mirrabooka; Burswood Dome; Leederville Oval; Perth Oval; Old Perth Market site; Challenge Stadium site; Hertha Road; Canning Agricultural Society grounds; Claremont Showgrounds; Perry Lakes; the former railway workshop land at Midland; and Jandakot. At the moment, the member's request is one of 15 and is well in the running.

I can understand the member's enthusiasm, as a person who started playing at Fremantle Oval when we shared it with South Fremantle. Incidentally, we lost a good footballer when Steve Marsh came from Kalgoorlie to play for East Fremantle and walked into the wrong change room so South Fremantle got all of his games. "Old Easts" then moved to East Fremantle, and East Fremantle Football Club has never looked back.

There is no doubt that a stadium that is used by a number of sports will result in significant savings in capital works and operating costs and will ensure year round use. I compliment the member for Cockburn for his enthusiasm. As a south of the river person, I hope the feasibility study comes up trumps for him.

### GRIEVANCE - BRIDGES

#### *Guildford - Maintenance*

**MRS van de KLASHORST** (Swan Hills - Parliamentary Secretary) [5.13 pm]: My grievance is to the Minister representing the Minister for Transport. Members of the Guildford Association, the Swan-Guildford Historical Society and the President of the Guildford Business Association, made a deputation to my office last week about three bridges: Barkers Bridge, Guildford Road Bridge and Helena River Bridge. No-one can get into the Guildford townsite without crossing one of those bridges. Those bridges are made of timber, and the local community has sought to have them put onto the register of the Heritage Council of Western Australia due to their historic value. The town of Guildford is one of two entrances to the Swan Valley - Midland is the other - and the residents of Guildford are very keen to make it a major heritage town. The local community has also sought federal heritage listing for these bridges. Barkers Bridge in West Swan Road has been put onto the national estate register, as have other heritage parts of Guildford.

The concern of the local community is that these bridges need to be repaired, and Main Roads WA, which is currently working on Barkers Bridge, plans to repair them with materials other than wood, such as steel, because it has been advised that wood is not available and is possibly too expensive. However, I am advised by these groups that wood is available should Main Roads have the will to repair the bridges with wooden strut supports and rails.

These community groups in the Guildford area want to get together with either Main Roads or the Minister to develop a conservation plan for all future repairs to these bridges in order to set the parameters of repair to take into consideration their tourism value. Many of the interstate and international visitors who go on wine tours travel underneath those bridges and see the type of bridges that they are. Walk trails and bicycle trails, which are part of the Swan Valley tourist route, go over the bridges. The bridges also form part of the perimeter of the Guildford townsite. These community groups want the Minister to direct Main Roads to work with them before any more work is done on these bridges so that the integrity of these bridges will not be lost by using steel rather than timber for their repair.

Planned conservation for the three bridges is of utmost importance to the local people, and they regard it as essential to maintaining the integrity of the history of the area, including the Swan Valley and Guildford. Therefore, I ask the Minister representing the Minister for Transport whether this can be arranged before any further repair work is done to these bridges.

**MR OMODEI** (Warren-Blackwood - Minister for Local Government) [5.17 pm]: I seem to be grieved to a lot; I do not know what I have done!

Mrs van de Klashorst: You are a popular Minister!

Mr OMODEI: I commend the member for Swan Hills for again raising concerns about her electorate. The Minister for Transport must deal with many of those concerns, which the member always raises in an appropriate fashion.

Mrs Roberts: It is not her electorate. All three bridges are in my electorate.

Mr OMODEI: Does the member for Midland want to grieve to me as well?

Mrs Roberts: I have written to the Minister for Transport on a number of occasions.

Mr OMODEI: I may be able to give the member a preview of some of the answers that he will give.

I assure the members for Swan Hills and Midland that Main Roads WA does appreciate the heritage value of the Guildford area and the wish of the local community to preserve the character of the Barkers, Guildford and Helena River Bridges.

The issue of the replacement of wooden guardrails on bridges with steel rails has been raised by heritage groups. Main Roads' policy on this issue is to conform with the nationally accepted AustRoad standard, in the interests of providing a safe driving environment. Experience has shown clearly that wooden guardrails are not effective in restraining an out of control vehicle. That was highlighted last year in Kelmscott when a vehicle hit a wooden guardrail on a bridge and fell several metres onto the river flood plain. Fortunately the driver was not seriously injured, but serious injury or death could occur.

The repair work that is being carried out on Barkers Bridge involves strengthening the bridge and replacing timbers that have been destroyed by termites. The responsibility for that bridge rests with the Shire of Swan. Main Roads has liaised closely with the council over the repairs and the materials used. It has received clearances for the work from the Swan Shire Council and the Heritage Council. It may be that they need some good karri timber from Pemberton; that would stop a semi trailer. As with the current works, Main Roads will liaise closely with the council, the community and heritage groups in developing the action plans that the member has called for when considering future repairs for the three structures. I will certainly raise this issue with the Minister for Transport to ensure that Main Roads and the Swan Shire Council consult the heritage groups in that area, not only to set parameters but also to look at the conservation plans for those bridges. Obviously they are part of the heritage of the Guildford and Midland areas.

I have seen the bridges myself. I would not be surprised if the bridges were made of karri because white ants have a bit of an appetite for karri. Of course jarrah is a little more brittle. It may well be that Main Roads will have to look at the design of the bridges and perhaps consider using timber on the outside of some kind of steel reinforcement, so that there is a timber clad steel railing. I am sure that Main Roads is more than capable of coming up with a design, once I have raised this matter with the Minister and he ensures that Main Roads will undertake that consultation. The notes given to me indicate that Main Roads has liaised and worked closely with the council. I expect that to continue and that Main Roads, the council and the heritage groups will meet to make sure that the concerns of the heritage groups are considered. It is important at the same time that the safety aspect be taken into account. It would be no good making a bridge look nice, if an out of control vehicle could break through it. If a flood plain were in flood, we could have loss of life.

I commend the member for Swan Hills for raising the matter. It obviously concerns her and other people in the immediate vicinity of the bridges. I will ensure that the matter is raised with the Minister, that liaison continues and that a meeting takes place to set parameters and allow a conservation plan to be developed to cover all three bridges.

The ACTING SPEAKER (Mr Ainsworth): Grievances noted.

### **MOTION - LABOUR RELATIONS LEGISLATION AMENDMENT BILL**

#### *Information Campaign*

**DR GALLOP** (Victoria Park - Leader of the Opposition) [5.26 pm]: I move -

That this House condemns the Government for spending up to \$500 000 on a propaganda campaign to sell its unworkable and unnecessary industrial relations legislation to the public after ramming it through the Parliament before 22 May 1997.

As each day goes by we see an increasing level of arrogance displayed by the coalition Government. The arrogance that we saw in the first four years of its government has become a flood since the election of December 1996. Certainly the degree to which the Government has been willing to cut corners, undermine standards and abuse conventions in order to achieve its ends since the election has been a cause of great concern in our community. We see the arrogance of the coalition reflected in the attitude that it has taken to two activities; first, to the Parliament itself, where it has been most reluctant to allow proper checks and balances and where it chose, as a matter of priority, to push the industrial relations legislation through the Parliament before 22 May when the numbers changed as a result of the December election. Second, we see the attitude reflected in the use of taxpayers' funds. We saw that in the first term of this Government. We continue to see its eagerness to utilise taxpayers' funds for its own political purposes. Interestingly, those two things are connected: On the one hand is the extremism of the Government, its abuse of the conventions of Parliament and its inability to cope with checks and balances and, on the other hand, its

use of taxpayers' funds for political purposes. We can see that connection with this industrial relations legislation only too clearly.

The connection is that when Governments take an extreme position in politics and leave no stone unturned to push legislation through the Parliament and succeed with those tactics, they are left with a problem. The problem is that in the course of ramming it through and not listening to people and not providing any proper checks and balances, there is community opposition and a huge gap between Governments' belief in what they are doing and what the community thinks about what they are doing. Inevitably Governments must engage in a propaganda campaign to try to fill in the gap between their expectation and that of the community. We have seen this with conservative Governments throughout the history of our State. Certainly since the election of the coalition in 1993 we have seen it work with particular force. The truth is that if we had a properly elected Parliament with proper checks and balances, the ability to get extremist legislation through would be severely reduced. There is a degree of balance in the upper House, and we will see the outcomes of how it functions in the parliamentary process. The arrogance of the coalition has been a feature of its style of government, but has become particularly dominant since the December election. It is what I would call the authoritarian fix; Governments do not listen to or countenance opposition on the one hand and then they must resort to propaganda to fill in the gaps on the other hand. That authoritarian fix has well and truly solidified in the inner sanctums of the Government.

All of this has happened because the Government has given free reign to the Minister for Labour Relations. It is very interesting that when a federal election was approaching and he tried this last time round, all sorts of constraints were placed upon him so that the consequences of his approach and his policies did not damage the position of the federal coalition. On this occasion the Government concealed its intentions during the election campaign. It gave every indication that it would have a different approach to industrial relations after the election. Of course, once the election was out of the way the Minister was allowed yet again to have free reign. The Minister cannot be trusted with the management of a serious issue such as industrial relations. We have seen the havoc that he can create in other portfolios, such as Health. His inability to distinguish proper practice and cope with proper checks and balances and his insensitivity to the needs of others in the community, particularly the trade union movement, mean that the Government has been left with a major industrial relations crisis on its hands. It still has no strategy for getting out of that crisis over and above the propaganda campaign which it has initiated and which, the Premier tells us, will cost about \$300 000. It is with great concern that we see this crisis in industrial relations.

Let us turn to the issue of propaganda generally. Since the election of the coalition Government we have seen the establishment of a special communications unit in the government media office. Given the way that the Budget was presented this year, it is harder to determine precisely how much is being spent there. I asked some questions during the Estimates Committee about that, and I will seek some further clarification. The Government has commissioned taxpayer funded polls and attitudinal surveys that are clearly politically motivated. They have nothing to do with the Government's requiring general information about demographic and social trends; they are demographic polls of the sort conducted by political parties. We have seen extensive advertising campaigns on a range of issues such as public transport, workplace agreements and other politically contentious matters.

In 1995-96 a total of \$22m was spent on advertising across government. An all too important part of that \$22m was spent on political advertising. The fact that the Opposition is focusing on this issue is not just a function of its own eccentricity. The issue of government advertising has been the subject of extensive examination in Western Australia and other States. The Royal Commission into Commercial Activities of Government and Other Matters said that government advertising was vulnerable to illegitimate and partisan political use and it recommended further inquiry into the issue.

The Commission on Government also examined the matter in some detail. Although it fell short of recommending legislation in this area, it supported a range of guidelines for use by all government departments and agencies when designing advertisements. Government advertising can be dealt with in a number of ways. The first is through legislation. A Bill was introduced in the New South Wales Parliament providing a legislative framework for dealing with government advertising. Alternatively, it could be dealt with by regulation. The Commission on Government said that there should be guidelines for advertising in government. However, it concluded that legislation was not needed and that the Advertising Standards Council should determine issues of truth in government advertising.

Members should be aware of the draft guidelines on government advertising that were outlined in the Commission on Government Report No 3 of April 1996. The introductory principle stated that it is right and proper for governments to use public funds for publicity and advertising in order to inform the public of the government services available to them and of their rights and obligations. It also stated that it is improper for governments to use public funds for publicity and advertising in order to gain a partisan political advantage. The report then outlined guidelines based upon the New Zealand and British experience. In New Zealand the guidelines for assessing government

publicity are that all advertisements need to be accurate, factual and truthful, honest and impartial, and lawful and proper.

The British central government convention on publicity and advertising provides four tests: The subject matter must be relevant to government responsibilities; the content, tone and presentation should not be party political; the distribution of unsolicited material should be carefully controlled; and the costs should be justifiable. The Commission on Government considered these guidelines and came down with its own set of tests that were essentially based upon the New Zealand model. The commission recommended that the content of the advertisement should be accurate, factual and truthful, fair and impartial, and legal and proper. The commission then outlined the need for cost effectiveness, along the lines of the British model.

Concern exists in the Western Australian jurisdiction about this issue. That concern was reflected in the Royal Commission into Commercial Activities of Government and Other Matters and the Commission on Government. It is based on the view that government advertising should be free of partisan influence and subject to stringent accountability procedures. The distinction that is made is between legitimate information and partisan propaganda. The Opposition will show in this debate that time and time again the Government has failed this test and, most definitely, from what we have seen so far with the industrial relations legislation, it has failed the test outlined by the Commission on Government.

Other jurisdictions have taken up this issue. The Queensland electoral and administrative review report raises the issue of political advertising. The Auditor Generals in both Victoria and New South Wales have taken an interest in this issue. That indicates the extent to which this is an important issue of accountability in government. I refer members to Special Report No 39 of the Victorian Auditor General in 1996 called "Marketing Government Services. Are you being served?" The Auditor General is an independent agent of the Parliament with responsibility to ensure that taxpayers' funds are properly spent. In this debate in the Parliament today members on this side of the House are not talking just as members of the Labor Party. The Labor Party comes into this Parliament with the spirit and principle of the royal commission and Commission on Government reports and also with the words of the Auditor General of Victoria. That report states -

Most advertising and promotional material examined during the audit was found to be clearly aligned to organisational objectives. However, examples were identified, particularly at a central level, where publishing material was, in audit opinion, totally inappropriate as it contained party-political statements. In the case of some other publicly-funded material, propriety was a matter of debate.

Clearly, in relation to the Kennett Government, the Auditor General concluded that some material did not meet the test that should be applied to government advertising.

This issue is important to the way Governments spend taxpayers funds, and to the way our democracy works. I will remind members why this is such an important issue. The Government of the day has enormous resources at its disposal. The temptation on the part of the Government to utilise those resources for party political purposes is high. The Opposition believes that temptation should be subject to a proper accountability test and to appropriate regulations. If it is not, the nature of our political system is tilted in the direction of government or towards the Executive. That is why we need checks and balances in our system.

The Opposition will produce evidence this evening that the Government's campaign can be interpreted only as propaganda. I will produce evidence that the way this campaign has emerged can only lead us to conclude that it is propaganda. My colleague, the member for Nollamara, the shadow spokesperson on industrial relations, will give detail on how the information that has been presented by the Government is misleading and party political in its intentions.

Let us get to the heart of this issue; let us not fool around. This is a political issue: The Labor Party has a particular ideology and set of principles and the Liberal and National Parties have an ideology and set of principles. The debate is a clash of principles. Before the last election the Government should have said that it had completed all of its legislative program except in one area; that is, the industrial relations area. It should have said that it intended to reintroduce the legislation into the Parliament and provide the things that are in that legislation. It should have been honest and straightforward when it announced the election last November. Then during the election campaign, the Labor Party could have put its position, the trade union movement its position and the Liberal and National Parties their position, and we could have debated the legislation. The electors could then have voted about which party formed a Government in the Legislative Assembly and for the checks and balance to be applied to government legislation in the Legislative Council. We must come to terms with the fact that people exercise two votes. The notion that a Government has a mandate to do everything that it promised in an election campaign will be qualified by the vote that people give to upper House members.

Mr Barnett: You are probably aware of what happened in the recent British election. I was there on the day. It was interesting that while Labour picked up lots of seats around London, people voted Conservative in the local government elections.

Dr GALLOP: Electors do that. That is why, generally speaking, federalism is a good system of government because it provides checks and balances. It is also why bicameralism is more effective than unicameralism because it provides checks and balances. People could have expressed their intentions through the ballot box.

Ms MacTiernan: What about Scotland and Wales?

Dr GALLOP: They will be establishing assemblies.

Of course, it did not happen that way. The Government concealed its intentions and, after the election, proceeded to ram the legislation through both Houses of Parliament.

As our motion indicates, the legislation is unworkable and unnecessary. Its unworkability has been magnified by the fact that the Government has handled this legislation inappropriately. The Government brought it into the Parliament and used the gag and the guillotine to make sure that it went through the Parliament before 22 May when the balance of forces changed in the upper House. One of the most frequent objections to the Government's handling of this issue is that it pushed it through before 22 May when the new balance was to change.

Mr Barnett: It was debated at length in this House.

Dr GALLOP: I am sure the Leader of the House would agree that the cause of Western Australian democracy would have been better served if the Bill had been dealt with in the Parliament after 22 May. If he concedes no others, I am sure he would concede that point.

Mr Barnett: You would have to agree that the Bill received a long debate in this House.

Dr GALLOP: That is not our view Minister.

Mr Barnett: I can produce the hours of debate. We sat for a further day and a half.

Ms MacTiernan: It was a very complex Bill.

Mr Barnett: I am not denying that. The only parts of the Bill that were guillotined were a couple of issues.

Dr GALLOP: It is a complex piece of legislation that has become even more complex. I sympathise with the workers who will have to come to grips with whether they are breaking the law. One would need to be a Queen's Counsel to know whether one is breaking the pre-strike provisions of the legislation. It is a hopeless piece of legislation. That is what we have in Western Australia today. The Government brought on this legislation when it had indicated during the election campaign that it would not do it, it was rammed through the Parliament before 22 May, and it has been left with a major public problem. The Government is no longer trusted. The public do not like the legislation or believe the legislation, and a significant section of the public will resist the legislation.

The Government can handle the problem in two ways. The first strategy would be for it to go back to basics, look at the situation objectively, exercise political leadership, take the Minister for Labour Relations out of the equation, and keep the promises it made to the Trades and Labor Council before the election. That is probably what most members on the coalition benches hope will happen. However, the Premier has done the opposite. Rather than exercise that sort of leadership, he has given up his power on these matter to the Minister for Labour Relations. There is now no choice. Once one starts to go down a road and one is getting the opposition the Government is getting, the next step is to try to convince the people they are wrong in what they think; that is, that this legislation is in their interests, despite the fact they do not want it and do not like it. The Government has determined to push ahead and try to win the people around through its propaganda campaign.

The genesis of the advertising campaign that has been launched by the Government is party political. It is the sort of campaign that should have occurred before the election but could not because the Government was frightened about its vote in the electorate. The strong evidence for the propaganda campaign by the Government is revealed by the genesis of that campaign. If the legislation is as good as the Government says it is, would it have had such community opposition? Of course it would not.

Further evidence is available to us when we examine the content of the advertising thus far. The Government's advertising is misleading and untruthful and it is political and ideological. Anyone who read the one page advertisement in the *Sunday Times* newspaper would agree that the advertisement is political advertising. It is headed "Your choices in the new workplace" and has two columns, "old" and "new", "Labor" so-called, and "Liberal coalition" so-called. I say "so-called" because this advertisement is highly misleading. It states -



If you would like a simple summary or a copy of the legislation, call 1800 623 727, or visit the internet . . .

I know someone who rang and said he wanted a copy of the legislation. First of all, he was asked in some detail why he wanted the legislation. When the crunch came, he was told he had to pay \$9 to get it. Obviously the Government prefers the simple summary of the legislation prepared by the Minister and his underlings to the detail of the Bill. Anyone who wants a copy of the Bill must pay \$9. The Government does not want people to confront this legislation in all its complexity, horror and detail. The Government wants to come between the legislation and the people with its version of events. That is indicative of the way the Government handles these issues. The advertisement "Your Choices in the New Workplace" provides an extremely biased and unbalanced view of the situation before the legislation came into being and a very biased and unbalanced view of what will happen afterwards. The advertisement begins with the words "The Industrial Relations Commission will, in most circumstances, order a secret ballot before strike action." The IRC is an independent commission. How can the Minister prejudge what it may or may not do? That is not a factual statement. It is an opinion about what may or may not happen.

One could go on at length about the part of the advertisement dealing with ballots, and point out that no right to a pre-strike ballot is provided in the legislation; it is not even indicated in the Government's description. This is an effort to influence people with a biased presentation of the facts. If one wanted to know the facts about pre-strike ballots, the four pages of legislation are so complex one would need to be a Queen's Counsel to come to grips with whether one would break the law if any action were taken. The Opposition will go into great detail about the extent to which the "Your Choices in the New Workplace" advertisement misleads people and is untruthful in its presentation of the facts on the Bill.

We can safely say that the genesis of the Bill and the origins of the campaign are political. It is not the sort of advertisement on which taxpayers' money should be spent. When we go to the detail we see yet again misleading statements being made about the legislation. That means that a most unsatisfactory situation is prevailing in Western Australia. We heard in Parliament today further debate on the problems in our health system. We have witnessed the debate in the community about incubators at the King Edward Memorial Hospital, and how difficult it seems to be for this Government to provide funds for that type of equipment.

The Opposition is very concerned because taxpayers' funds are being used in this way. It is an inappropriate use of money. Many needs in the community could be met if the Government took a much tougher approach to the way it expends taxpayers' funds; provided a better form of cost benefit analysis, imposed stronger discipline on its Ministers, and started to embody the spirit of the Commission on Government and the Royal Commission into Commercial Activities of Government and Other Matters into its deliberations.

The Minister for Labour Relations costs Western Australia dearly. He costs us not only with the prejudices he brings to bear on issues, the implications of the way he handles issues, the response from the community and the conflict it causes, but also because his mishandling of issues must be supplemented by government propaganda to try to convince people of the merits of his actions.

The Government has made a terrible tactical decision by giving that Minister these powers in respect of those major issues. The Government has made a very bad decision about the way our State is being governed. We see that reflected in many aspects of the Minister's performance. Most importantly, we have another example of taxpayers' money going into political propaganda. It is with great pleasure I commend this motion condemning the Government for yet again spending our hard earned taxpayers' dollars on this type of propaganda.

*Sitting suspended from 6.00 to 7.30 pm*

**MR KOBELKE** (Nollamara) [7.30 pm]: It is highly improper, if not corrupt, for this Government to spend almost \$500 000 of taxpayers' money on political propaganda. I am talking not about feelgood advertising, which might be regarded as a waste of taxpayers' money, but about false advertising. If that advertising were done by a private company, it would be subject to legal constraints, and we will be interested to see whether this Government will be subjected to the same constraints that would apply to companies that advertised in this misleading way.

I thought the Minister for propaganda would be here; I am sure he will be here at some time. I hope he will be able to respond to the details that I will outline. While the Government's advertising in a range of areas has been misleading, deceptive and false, I will direct my comments to a full page advertisement that appeared in the *Sunday Times* of 25 May, because that is a clear example of how this Government is setting out to deceive the people of this State with half-truths, omissions and outright falsehoods.

The Government in its doublespeak refers to this advertisement as "educating" the public about its legislation. I thought anything to which we attached the tag "education" would be accurate and seek to give a comprehensive explanation of the Government's legislation. I realise that the labour relations legislation is complex and the Government cannot cover every detail, but the Government's advertising is so selective in leaving out major components of that legislation that it is clearly deceptive by omission.

Because of the time constraints and the motion before the Chair, I will deal only with why this advertisement is misleading, deceptive and untruthful. I will try to restrain myself from speaking about the content of the Labour Relations Legislation Amendment Bill, although that is what the advertisement purports to talk about. Although I would like to put on record again why that legislation is totally inappropriate and unnecessary, I will avoid the temptation to do that and will deal simply with how this advertisement does not reflect the substance of the legislation which it purports to explain.

The advertisement is divided into two columns headed "Old" and "New". The advertisement does not say that the new column relates to the legislation which has just gone through this Parliament, but underneath the columns is the statement, "If you would like a simple summary or a copy of the legislation, call", and it lists a certain number. The clear implication is that the column headed "Old" deals with the situation that applied before the labour relations legislation went through this House on 15 May, and the column headed "New" deals with the situation that is now in place. Therefore, I will deal with the advertisement from that point of view. The Minister may try to twist it into some other form, but that is clearly how people will interpret that advertisement.

I will deal with some of the items in that advertisement which indicate clearly that it is gross political propaganda and nothing to do with explaining the truth of the legislation. Under the heading "Unfair Dismissal", the column headed "Old" states -

If you lost your job you were usually 'paid out' with little chance of re-instatement - even if you wanted your job back.

The first dot point under the column headed "New" states -

If you are unfairly sacked by a difficult employer, the priority of this legislation is for you to get your job back - without loss of entitlements.

There is no mention of the key change in this legislation to the onus of proof. Section 23AA of the Industrial Relations Act, which deals with onus of proof, is struck out by this legislation. Under the old system, the employer had to establish that there were good reasons for dismissing an employee, such as inability to perform the job, or dishonesty. Under the new legislation, the onus will be on the employee to prove to the court that he or she was dismissed unfairly. That major change is not mentioned in this advertisement. Therefore, it is a gross misrepresentation of the situation with regard to unfair dismissal.

It does not stop there. The clear implication of the advertisement is that the Government is moving to place greater emphasis on reinstatement rather than compensation if a person cannot be put back into the workplace. That is factually untrue. Section 23A(1a) of the Industrial Relations Act provides that the commission is not to make an order for compensation unless it is satisfied that reinstatement or re-employment of the claimant is impracticable. The new legislation provides that the commission is not to make an order with regard to compensation unless it is satisfied that reinstatement or re-employment of the claimant is impracticable - the wording is the same - and it then states "or the employer has agreed to pay the compensation instead of reinstating or re-employing the claimant".

The Minister's legislation is the exact opposite of what he has put in this advertisement. It is not true that the priority of this legislation is that an employee will get his or her job back - without loss of entitlements. This legislation will make it easier for employers to pay compensation rather than reinstate dismissed workers. While the shift is only small, it is not towards reinstatement, but towards the payment of compensation if the employer agrees. This advertisement for which taxpayers have paid is factually wrong and misleading with respect to unfair dismissal because it does not mention that major change to the onus of proof.

I turn next to union dues. The first dot point under the new arrangements states -

Deduction of union dues can be by agreement between the employer and the union.

Mr Bloffwitch: That sounds reasonable.

Mr KOBELKE: The member is right; it sounds very reasonable. The fact is that it is untruthful. It is not in the legislation. Let us turn to that provision in the legislation; that is, new section 29.

Mr Bloffwitch: They prevent them from doing that.

Mr KOBELKE: Exactly. It strikes out in the definition that an industrial matter can cover an agreement for the collection of union subscriptions. The definitions section describes an industrial matter as something that can be in an agreement and it covers the collection of union subscriptions. That has been struck out in this legislation. New section 29(2) states - I will leave out some of the wording in the middle but will give the operative parts - that on and from coming into operation of this proposed section a provision of an award, order or industrial agreement under

which the employer agrees to collect subscriptions to an organisation, namely a union, is of no effect, and any agreement so implemented is of no effect.

In accordance with the legislation there cannot be an agreement relating to the deduction of union dues. It is simply not allowed under this legislation. I repeat what is in the advertisement -

Deduction of union dues can be by agreement between the employer and the union.

In the advertisement the Minister has stated a matter that is factually incorrect. The Minister may play with words and say that he is talking about a Clayton's agreement, an agreement which really means a temporary arrangement. People can enter into a temporary arrangement which can include the deduction of union dues, but that cannot be an agreement. By its very definition, regardless of how the Minister for propaganda twists words so that they have the opposite meaning, an agreement means two parties have agreed to something for which there is some means of enforcement. It may be enforcement through the Industrial Relations Commission or under common law as a contract. Under an agreement, there are means of enforcement. When any possibility of enforcement is removed totally, as this legislation does with union dues, it is impossible to have an agreement. It does not matter what fancy wording is put on it, there cannot be an agreement under this legislation. As I indicated, there may be some temporary arrangement, but it cannot be an agreement. The advertisement says that there can be an agreement.

The next dot point under the new arrangements states -

This brings Western Australia into line with the Commonwealth.

Again, that is factually wrong. In its new industrial relations legislation the Commonwealth has allowed for awards to cover only 20 permissible conditions, and deduction of union dues is not one of them. It is excluded from the 20 permissible conditions. The federal industrial relations legislation does not preclude agreements being registered. Those agreements can cover deduction of union dues. It allows for the registration of agreements which provide for the deduction of subscriptions for union membership, but that cannot be done under this state legislation; yet the Minister says that this legislation brings Western Australia into line with the Commonwealth. It certainly does not do that. It is another clear example of misleading and false advertising by this Government put forward by this Minister.

This advertisement also has a heading of "Secret Ballots". Under the new scheme the advertisement states -

The Industrial Relations Commission will, in most circumstances, order a secret ballot before strike action.

The Minister is making a judgment about what the Industrial Relations Commission will do. The Minister does not have the power to direct the Industrial Relations Commission to that effect. Among these quasi-facts and falsehoods, we see a statement of opinion by the Minister - and nothing more. It does not point out that the complexities of the pre-strike ballot arrangements mean that it is unknown whether the Industrial Relations Commission will in most circumstances order a secret ballot. That has yet to be tested. We find no description at all under this heading of the complexities involved in being able to hold a pre-strike ballot.

Those complexities contain a whole range of penalties. Again, the advertisement says nothing about penalties. Those complexities contain a whole range of steps whereby third parties or other people can interfere in the process to stop a pre-strike ballot taking place. There is no clear evidence that the Industrial Relations Commission will in most circumstances order a pre-strike ballot. This part is grossly misleading in its total omission of a range of matters. It attempts in no way to describe what is a strike. In the legislation nearly three pages is dedicated to the definition of a strike. Perhaps the Minister has made it so complicated that he cannot explain what a strike is.

In his explanation in the advertisement the Minister uses the words "strike action". That conveys nothing to the reader of the advertisement because those words have a very specific and highly technical definition. There is no attempt to explain that to people. Those who could be caught by this legislation and be found to have broken the law and be liable for quite substantial penalties are given no understanding of what a strike is. The definition of a strike in the Bill is quite complicated and difficult. However, that is not in the advertisement because the Minister does not want to explain to people what the legislation is essentially about. The Government has omitted a major part of the legislation in its explanation of the new arrangements to the people of this State.

There is also no explanation of the fact that people do not have a right to a pre-strike ballot. The earlier television advertising, to which I will allude briefly, claimed that people have a right to a pre-strike ballot. That is not the case. No right is contained in the legislation in any form at all. It contains a whole range of measures that try to stop people from having a pre-strike ballot. People simply do not have that right. Even if people overcome the hurdles and are able to conduct the pre-strike ballot, it does not mean they can take strike action that is authorised. A further range of provisions come in to stop that. That is not included under the heading of "Secret Ballots" in this advertisement and it is highly misleading.

People in our society cherish and believe in secret ballots. They are a very important part of our democracy. People think of secret ballots as those held at federal elections, state elections and local government elections. A whole range of laws and provisions guarantee the secrecy of the ballot. This legislation provides no such guarantee. It is not secret in the same sense as a secret ballot that people understand. In fact, the legislation says that as far as practical it will be secret. If it can be said that it is not practical, an attempt does not have to be made to make it secret. Under this legislation there is no right to a pre-strike ballot; and no guarantee that it will be secret. Where is that in the advertisement? It is simply left out. As I said there was no mention of the quite severe penalties that will apply if one is caught out on some of the technicalities required under the pre-strike ballot provisions of the legislation.

The next heading in the advertisement is "Inspection of time and wages". In the first column under that heading, the advertisement states -

The 75% of employees who are not union members had no guarantee of the confidentiality of their time and wages records.

That is not true. Section 49B(1)(a) of the Industrial Relations Act stated -

the power of inspection may not be exercised for the purpose of inspecting the time and wages records of an employee or former employee who -

- (i) is not a member of the organization; and
- (ii) has notified the employer in writing that the employee or former employee does not consent to a representative of an organization of employees having access to those records;

That was in the Act before this Bill was introduced. It has been taken out by the Labour Relations Legislation Amendment Bill and more stringent and severe provisions have been put in. There were already clear conditions that stated that a union could not have access to the records of a non-member if that person advised the employer in writing that he wished to have his records kept confidential. It was in legislation, yet the Minister says in the advertisement there was no guarantee of confidentiality! The bigger issue with respect to this is important; that is, if we are going to maintain minimum standards in our community, we must allow unions to support their members and non-members in the maintenance of basic wages and conditions. The Minister might be upset because he feels that has been abused. However, he was not addressing abuse in the legislation. He removed the right for unions and said industrial inspectors would do it. That is nonsense. There are not enough industrial inspectors and they do not have a track record of doing the work to give a guarantee that minimum standards will be maintained. That is a bigger issue that I will not debate tonight. However, the Minister has been deceptive and misleading in saying there was no guarantee under the old legislation, because that was in that section of the Act to which I referred and which existed before this legislation was introduced.

The fourth heading in the advertisement is "Duties of officials". The Minister said in the advertisement that under the old system -

Union officials and employees of unions did not have to abide by accepted financial reporting standards, or declare any conflict of interest.

That is absolutely untrue. Union officials are elected officials in a voluntary organisation and that voluntary organisation has standing in law under the industrial relations legislation. They are required to have audited accounts and they are required to look after the interests of their members in the same way as any other voluntary organisation. In addition, a section in the Industrial Relations Act placed onerous conditions on union officials involved in financial matters. That already existed in legislation prior to these changes. For the Minister to say in the advertisement that union officials "did not have to abide by accepted financial reporting standards, or declare any conflict of interest" is factually wrong.

In the second column of the advertisement which refers to the new system the Minister is trying to sell, the following appears under the heading "Duties of officials" -

All financial officers and employees of registered employer groups and trade unions must observe proper standards of financial accountability, like the rest of the community.

The reference to "like the rest of the community" is false. The rest of the community does not have to abide by legislation as strict and onerous as the Labour Relations Legislation Amendment Bill. As I said to the Minister in an earlier debate, Ministers of the Court Government would never accept this. The Premier would be thrown out for three years on more than one account. This legislation contains quite strict probity requirements. That is all right because we expect all people to have to abide by those requirements. That is not the problem. The problem is that

those requirements have been included in a Statute that enables almost anyone to make a complaint against someone - on a technicality or because that person has infringing the requirements - to the Industrial Relations Commission. A registrar will then prosecute the person, and he or she will be faced with the dire penalties included in the legislation. If the same happened in a company, one would go to the fraud squad and if the fraud squad were too busy and could not look at it for two years, that would be it.

The mechanics of that legislation are about dragging someone into the judicial system. However, getting a conviction is so complex and undefined, that one would never get it. This legislation is designed to get at union officials. No Minister would be willing to live under this legislation and nor would anyone in business. It is totally false for the Minister to say in this advertisement "like the rest of the community". The legislation already contained provisions to get people before the judicial system and penalties enforcements. The amending legislation has, in part, extended the provisions to employees. If they had anything to do with decision making, they were already caught. This is simply propaganda. The rest of community does not have to live by these same onerous conditions relating to standards and enforcement.

The last point in the advertisement I will comment on appears under the heading "Federal award coverage". The Minister says that, under the new system -

Employees can choose to join another union committed to State award coverage.

That is not true. New section 84E states that action can be taken by a state employer or organisation in writing to the chief commissioner that the state organisation - that is, a state union - be struck out as a party to an award, and a group or class of employees can be removed from the award and have another organisation substituted as a party to the award. Therefore, someone else can interfere and force a person into another union. Yet, the Minister in his advertisement says employees can choose. They can choose now whether they join a union. However, this legislation provides for orders to be made as to which union they will belong. The legislation provides for their names to be given to another union and for that union to take them in. They will have no choice in the matter.

The advertisement is absolutely false. It does not tell the public of Western Australia what is in the legislation. Over \$130 000 has been spent already on trying to sell this legislation and the Premier has told the media that perhaps another \$350 000 will be spent. Cumulatively, nearly half a million dollars will be spent on this advertising. It is misleading advertising! By any definition, it must be corrupt. It is totally dishonest to spend \$500 000 of taxpayers' money on advertising that is misleading by omission and factually incorrect, and paints a picture which bears no resemblance to the legislation to which people will be required to conform if this Government has its way. If a company undertook such misleading advertising, people would have recourse to the law. The Government thinks it can get away with it, but it will not because the Minister has no credibility. Such advertising will confirm in the mind of the public that this Government is wasting money to deceive people, to put in place legislation to attack the rights of ordinary working people and to reduce the standard of living in this State.

**MR BLOFFWITCH** (Geraldton) [8.00 pm]: I have listened to the claims by members opposite that this is a misleading advertisement. Well I remember the workplace agreements legislation, and the predictions of doom and gloom. I remember the same rhetoric I have heard tonight about how the world would end. I recall the claims that the workplace agreements legislation would mean the death of workers, and that they would live at a poverty level never experienced in this country. It was claimed that we would become a third world country. What is the truth about workplace agreements? The truth is that for the first time workers have a choice. Instead of an Industrial Relations Commission either in Perth or Canberra - depending on whether an award related to a truck driver or a mechanic - telling us that these people should receive a \$10 a week pay rise, employers have a choice. The people handing down these awards would have no idea whether my business is profitable, running at a loss or perhaps just about to go into liquidation. No relevance was placed on those factors, and blanket coverage was enforced.

What could be better than the proprietor of a business deciding that the business was going well and that, therefore, he would give his workers a wage increase? I agreed with the Minister that some minimum standards need to be laid down, so that people who are not as fair as I am do not have the opportunity to screw people to death. Every worker in my business who went onto a workplace agreement received a reasonable increase in his wage of between \$10 and \$50 a week. Workers could wait years to receive such a wage increase under an award. We heard much doom and gloom when workplace agreements were introduced.

What is the real intent of the Labour Relations Legislation Amendment Bill? I have read the advertisement, and it explains the situation quite well. It provides a fair view of the legislation. I turn to the federal award coverage addressed by the advertisement, and how sinister that is! I have told this story twice in this House. The Returned Services League employs seven workers at its aged cottages complex.

Mr Carpenter: That is just one case!

*Point of Order*

Mr KOBELKE: Mr Speaker, I draw your attention to the wording of the motion. I am happy to debate this issue any time with the member, but the motion relates to the spending of \$500 000 on a propaganda campaign. Insofar as the legislation is central to that, one may comment on it; but having heard this story by the member previously, I suspect he will continue with a matter which bears no connection to the Government's \$500 000 advertising campaign on the legislation.

The SPEAKER: That is not a point of order. We will all make a judgment about what the member for Geraldton has to say.

*Debate Resumed*

Mr BLOFFWITCH: The Labour Relations Legislation Amendment Bill is an essential piece of legislation. When workers do not wish to move to a federal award, should we just tell them that they have no freedom of choice; that they must move to a federal award; or should we provide an opportunity of staying with the state system, no matter the union, and remain on a workplace agreement? These are the questions my workers asked me, and I asked the Minister to do something about it. It was as a result of that process that we do not make it mandatory for workers to stay within a state award. As we do with most legislation, we are giving the workers the right to make a decision rather than to remain as paid employees with a vested interest in pushing funds into the unions. What could be fairer? Should the worker not have some say?

Mr Carpenter interjected.

Mr BLOFFWITCH: I was told that I would lose my seat over workplace agreements! If the member spoke to Mr Leahy from Carnarvon, he would say that that is probably why he lost his seat. I know who lost seats over workplace agreements, and it certainly was not a Liberal member!

No claim by any member opposite can justify our not advertising legislation which is being activated so strongly. We all know what members opposite will do; we know all about the van that will be running around the State in an effort to bring down this legislation. Do members opposite not think that we as a Government have the right to promote a fair side to the argument rather than listen to the one being portrayed by the Opposition? I have complete confidence that this legislation will have no more detrimental an effect on unions that service their members than did workplace agreements. As in other situations, any threat to the power of the executive of the unions brings loud cries of protest from the Opposition. I hope that we continue to advertise this legislation. I hope we continue to promote the real reasons for these changes. I commend the Minister for his actions.

**MR KIERATH** (Riverton - Minister for Labour Relations) [8.08 pm]: The first thing to say when someone moves a motion of this kind is that people in glass houses should not throw stones.

Mr Carpenter: That is a biblical saying.

Mr KIERATH: Yes it is.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: One expects that a party moving such a motion would have an impeccable record; it would have nothing to hide, and would be prepared to stand by its record. However, I have discovered that in 1989 in the other House the current member for South Perth had certain things to say about some of the activities of the Labor Government when last in power.

Mr Carpenter: Why are you picking on him?

Mr KIERATH: He was talking about the Labor Government of the day. He said that polling had shown that the ALP was doing poorly with families and with police; so the Labor Government released its Putting Families First package. Halfway through the campaign it stopped being a Government campaign and suddenly became an ALP election campaign. All the development, costs and advertising was done at Government expense and then right at the last minute it suddenly became an ALP election advertising campaign. I only had to go back to 1989 to find that out.

The member for Murray-Wellington also said that at around the same time the then South West Development Authority released propaganda that only showed ALP members. It referred to many projects, which it had nothing to do with whatsoever, including hospital upgrading, and some 50 to 60 other items. Of those items the South West Development Authority had been involved in only two or three. It was not even involved in 10 per cent; it was

involved in only about five per cent of the projects it referred to in that propaganda, but the South West Development Authority claimed credit for all of those projects.

Hon Phil Pental also took the Government of the day to task over its press statements on Hepburn Heights. It put out information saying it was saving native bushland.

Mr Johnson: They destroyed it.

Mr KIERATH: I am coming to that. The propaganda proclaimed that the then Labor Government was here to save the native bushland. Eight weeks later the bulldozers were sent in.

Mr Johnson: They were landscaping!

Mr KIERATH: It is unbelievable stuff.

Then on 27 May 1992 Hon Peter Foss brought to light the Advance Western Australia Fair program, on which the former Labor Government spent \$1m. It paid someone \$20 an hour to fill helium balloons. Isn't this fascinating! No legislation accompanied that. There was no initiative in the Parliament; it was sheer PR and propaganda. At least this advertisement is based on legislation that has been through both Houses of Parliament. We acknowledge that the Opposition has said that the legislation is controversial and needs explaining to the people, yet when we seek to explain it the Opposition does nothing but object. The Opposition wants the Government to continue to convey ALP propaganda, as the Labor Party has always done in Government. The ALP can no longer get the taxpayer to pick up the bill. They are angry because they got used to it when in Government.

I draw members' attention to a matter raised by the former member for Applecross, Richard Lewis, in November 1992, just prior to the February 1993 election, about glossy railway brochures. Do members remember that?

Mr Barnett interjected.

Mr KIERATH: We know the ones!

Mr Johnson: That is when they opened up Joondalup station three months before it was opened.

Mr KIERATH: That is the one. When the pamphlets were produced the then Labor transport Minister, Pam Beggs, was asked what form of technology would be used but she could not tell the House. She was also asked what sort of rail type would be used. She could not answer. She was also asked about the route of the railway and she could not answer. She could not tell them anything about the project. All she was able to tell the House was that there was a glossy brochure saying "This is what the Government is doing for you". If members doubt what I say I strongly suggest that they look at *Hansard*. Members will find it absolutely enlightening because the Minister could not answer those basic questions, yet the Government of the day had engaged in an expensive publicity and propaganda campaign.

Mr Carpenter: Have you been able to find the reference in *Hansard*?

Mr KIERATH: For the member for Willagee's information, so he can check it, it is page 7441 of Thursday, 26 November 1992. Mr Lewis asked -

Which technology will be used?

Mrs Beggs: Technology is available all over the world for light and heavy rail.

Mr LEWIS: Is there a difference between access and light rail? Which technology has the Government selected?

Then the Minister finally says it -

We have not selected technology.

Mr Lewis then asks -

Has the Government selected a route?

Mrs Beggs: No.

The *Hansard* continues -

Mrs Edwardes: Will this vision ever be visible?

Mr Court: Has the Government published the glossy brochures yet?

Mr LEWIS: Yes it has; 77 000 of these glossy brochures have been distributed!

The former Labor Government did not know what form of railway it was to have, it did not know what technology would be used, yet it was producing the propaganda before making the decisions.

Several members interjected.

The SPEAKER: Order! Although it is quite entertaining to allow some interjections, the Minister must have the chance to make his remarks without everyone joining in the debate. The Minister can assist the House by directing his remarks to the Chair.

Mr KIERATH: The best one is yet to come. Not being satisfied with the biggest use of propaganda it has ever imagined, guess what scheme the Labor Government thought up next: "What if we owned a radio station? Why don't we get in and buy a radio station so we can put our views out?" Guess what the government did? I wish I was joking about this - the former Labor Government bought radio station 6PR. I am proud to be able to declare that I got this Government out of 6PR. There is no role for Government in owning commercial media. The coalition Government got out of commercial media; the Labor Party got into it. The Labor Party was prepared to use public money to buy a radio station to get its message out.

Mr Thomas: What about a cinema? You're a hypocrite!

*Withdrawal of Remark*

The SPEAKER: Order! I ask the member for Cockburn to withdraw that comment.

Mr THOMAS: I withdraw, Mr Speaker.

*Debate Resumed*

Mr KIERATH: We can see their double standards.

What would the Opposition do if I put this proposition to the House? What if I had been planning to make a video and I was planning to take the starring role in it?

Several members interjected.

Mr KIERATH: Not content with my starring role in this video, I thought that I would balance it by getting the Chamber of Commerce and Industry of Western Australia to be a part of it. I would get Lyndon Rowe or Brendan McCarthy to put forward the employers' point of view, but not give the Trades and Labor Council or anyone else a chance. If I added that I wanted to promote the current workplace reform jargon - that is, workplace agreements - what would the Opposition say about that?

Mr Marlborough: I will tell you what I would say. I'd want you to put the member for Cottesloe in that video, because I would be interested in what he has to say.

Mr KIERATH: Guess what I have here?

Mr Marlborough interjected.

The SPEAKER: Order!

Mr Marlborough interjected.

The SPEAKER: Order! Members know that it is totally out of order to interject when I am on my feet. So far today I have resisted formally calling members to order. However, two or three members are about to break that resistance.

Mr KIERATH: Can members guess, what I have here? A video. Can they guess whom it stars?

Mr Carpenter: You.

Mr KIERATH: No. It was the then Minister for Productivity and Labour Relations, Gavan Troy. Can members guess whom else it stars? No wonder the member for Bassendean is looking as guilty as all sin, because he can guess who is a star on this video. It was one Clive Brown, the then secretary of the TLC! Is there an equivalent section on this video by the employer groups? Not on your Nelly!

Several members interjected.

Mr KIERATH: The buzz word in workplace reform at the time was award restructuring. I want to present the scenario to members: The then Minister for Industrial Relations starred in the video, and the then secretary of the



TLC played a supporting star role. No other point of view was presented. It promoted only the theme the Government of the day was promoting; namely, award restructuring. Let us translate that and imagine I was on the video, and I included only Lyndon Rowe and Brendon McCarthy to promote workplace agreements. What would members opposite say about that?

I must confess that when a member of my office staff found this video today and brought it to my attention, I absolutely fell about laughing! I have never come across such a bunch of hypocrites. Double standard is the best term that I can use to describe the actions of Labor members on this matter. Members opposite have the gall to complain about government information!

I give members opposite some credit: It was my wish to have a promotional campaign, but one of the overwhelming requests from members of the public was that they did not want a promotional campaign; they want facts and information. However, members opposite know about promotional campaigns, examples of which I have with me. What about the "Grow Together" campaign from community development? Do members remember "Seniors' Week: Years Ahead", "A Fair go for Everyone", "Downstream Processing", and "Youthfest"? The Minister for Youth might look at that last one as the previous Government may have overlooked some good ideas. Have members opposite forgotten about "The WA Advantage" in such a short time? Then Premier Carmen Lawrence is all over it. It is a political and election document whichever way one looks at it, and it was paid for by taxpayers' funds! It was blatant political advertising, not even propaganda or promotion of the Government.

Do members remember "The Social Advantage" and "Putting Families First"? Such a bulky legacy was left behind that examples can be found everywhere one turns.

Several members interjected.

The SPEAKER: Order!

Mr KIERATH: These documents indicate the double standard of the members opposite. I want to remind the House of the litany of lies told by opposition members, as indicated by the member for Geraldton, regarding our first lot of reforms. Labor claimed that wages would be cut by 25 per cent; workers would have to sign or resign; and state awards would be abolished. None of those things happened. They went on to say that penalty rates, leave loading and other conditions would be abolished, but they found that people agreed to change those arrangements of their own free will.

Members opposite said that minimum conditions would be maximum conditions - that is not true. They said that the award was the safety net for all workers, and that there would be no minimum standards of employment despite all the assurances given. They said that workers would have to bargain and beg for sick leave and maternity leave; and that everybody would be forced into individual contracts. Those opposite cannot come to grips with the fact that 90 000-odd workers have voluntarily entered into workplace agreements.

Mr Thomas: How many have not?

Mr KIERATH: I think the Commissioner for Workplace Agreements gave the answer during the Estimates Committee of about 2 000 cases being refused through the process.

It gets better: Members opposite said that the Industrial Relations Commission would be abolished, but it still sits. So many lies were told previously that, unfortunately, information is required to correct the imbalance. In fact, if I thought the information was bad the first time around and, on a scale of one to 10 of badness, it was seven out of 10, this time it has been a nine and a half or 10 out of 10. Never in my political career have I seen so many lies and so much misinformation printed about the IR Bill. It is fascinating also that opposition members are using the Government's industrial record in suggesting that no further reforms should be made.

I have a chart with me which shows the number of days lost to industrial dispute in this State since 1983. All the first part of the graph was under Labor. Suddenly, the rates plummet to one-third of the levels. Guess what happened? In February 1993, a coalition Government was elected. Those figures changed for that reason. The rate has remained low since, except for the odd political hiccups when the TLC runs one of its political, not industrial, campaigns. That is the industrial record of the coalition Government. It has been superb and the working men and women of this State can thank us for it has put more money into their pockets.

Mr Marlborough: Then why bring in the reform?

Mr KIERATH: We have been through it before, but I will tell the member for Peel again: Although our record is very good, we are worried about some early signs of the bad old days returning. At the start of the third minerals boom in the past 40 years, we saw some of the aspects of the bad old days return, therefore we had to do something about it.

Mr Kobelke: Will you table that graph?

Mr KIERATH: I am happy to do so.

[See paper No 429.]

Mr Marlborough: Where did the graph go up to?

Mr KIERATH: It was until June 1995, and a space is left for 1996-97 to be included.

There has been so much misinformation, as everyone knows, that we have had to try to distribute accurate information. I would have liked to run a campaign promoting the legislation. I have no hesitation in fighting an election on secret ballots or freedom of political donations because the percentage of people supporting them is far greater than the natural division among people who support political parties. If the percentage is greater, it means that some people who support members on the other side of the House support them. I am happy to fight an election on the issues.

As the member for Geraldton said, we were happy to fight an election on the first lot of reforms. Three years and two weeks after they were introduced, we had an election! Members opposite said that those reforms would bring down this Government and it would lose power.

Several members interjected.

The SPEAKER: Order! I cannot allow interjections at such level to continue, and I am talking to both sides of the Parliament.

Mr Carpenter interjected

The SPEAKER: Order! I formally call the member for Willagee to order for the first time.

Mr KIERATH: They said that we would lose government, but what happened? We picked up three of their seats! The ALP thought it would use the IR vehicle to return to government. The one area in which coalition Governments have been weak has been industrial relations - this has been the preserve of the Labor Party - yet members opposite could not get back into government following the most radical IR reforms in 100 years! What sort of people are members opposite? Why did that happen? We targeted our message properly. We gave people genuine choice. We did not force people to do things against their will, unlike people in the ranks of the Labor Party, who forced people to join unions against their will, to make political donations against their will, and to take industrial action against their will. We said we would give people freedom of choice and protect them. If members opposite really believed the rubbish they had been putting out, they would have supported this legislation, because it would have guaranteed their return to government. They know that their rejection of the first lot of IR legislation was their recipe for going even further into oblivion.

Compare the record of this Labor Party with that of the Labour Party in the United Kingdom: The United Kingdom Labour Party got back into government; this mob got out. Why? Compare their attitude to industrial relations: The Labour Party in the UK agreed to the abolition of closed shops, to secret ballots before industrial action was taken, and to democracy and choice in the workplace. Workers in the United Kingdom can even choose which union they want to join. They are not forced to join a certain union. Workers in the United Kingdom have choice, choice and choice, but not workers under this Labor Party, which wants to force people to do things against their will. I am happy to stand for election against members opposite any day of the week. The challenge will be at the next state election, when workers have really found out, because they have no longer been getting the biased and jaundiced view from the ALP and the trade union movement, that secret ballots protect them. Members who do not believe me should ask people whether they are glad to have secret ballots at state elections so that no-one knows how they vote. I tell a story to students in my electorate. They say, "Did your wife vote for you?" and I say, "I am 99 per cent sure she did." They then say, "Why are you not 100 per cent sure?" and I say, "She tells me that she does, but I do not really know because it is a secret ballot."

Members opposite are scared that if they give people the freedom of a secret ballot to decide whether to take industrial action, they will vote no. They are scared that if they cannot force people to do things against their will, they may do something of their own volition.

It is the same situation with political expenditure. Workers will be asked whether they want to make a political donation. Let us be candid. If members opposite really thought that most union members were in favour of making political donations, they would not argue about it. The only reason they would argue about it is if they thought they had lost the power to persuade people to donate to the party of their choice. They would then be scared of these

provisions and would fight them with every fibre of their being, because they were not prepared to submit to the will of union members. That is what it is all about.

The fascination of members opposite with union dues has always intrigued me. We all remember the member for Armadale saying that the identity of individual union members should be protected against intimidation by employers. Union officials want the identity of workers protected when they exercise the right of entry to a workplace, but when it comes down to the very base and crude action of getting people to pay their union dues, they are happy to have union members identified so that the employer will know who they are and can take that money from them. They have no problem at all when they want to get money out of workers. Talk about double standards! Members opposite have no credibility on issues such as this.

It is fascinating that the union movement is running around campaigning about the right of entry to workplaces. No union has suffered. All unions have full rights of entry for their members. Nothing has changed. However, members opposite cannot stand the fact that when given a choice about whether to join a union, three out of four workers choose not to join a union. In that situation, members opposite want access to workers' personal details. They are little peeping Toms. They want to peep into everyone's personal details for their own sordid reasons. They are not prepared to give people the right to privacy from their peeping eyes.

Several members interjected.

The SPEAKER: Order! Members, we cannot let that level of interjection continue.

Mr KIERATH: Union officials have the right to enter workplaces to access members' time and wages records, and if an employer refuses entry, the industrial inspector will come in. We are not protecting dishonest employers. We are making sure they are dealt with the same as everyone else.

The attitude of members opposite to unfair dismissal is interesting. The member for Nollamara argues when it suits him that our legislation should be compatible with the federal legislation, but he argues the reverse when that suits him. The reversal of the onus of proof is a reversal of a dishonest provision in the former legislation that deemed a person guilty unless he was proved innocent. Anyone who defends the Westminster system abhors that type of system. Brereton put that in place. It was disgusting and dishonourable, and one of the major reasons that small business in this country is not employing people. We have said that we will accept unfair dismissal, but it must be fair. An employee must have a valid case. An employee cannot manufacture a case and use the process to receive a compensation payout every time. However, if there is a valid case of unfair dismissal, the employee will be able to prove it and will either be reinstated or receive compensation.

Mr Kobelke: Nonsense!

Mr KIERATH: That is interesting. The ALP says it is nonsense. Not even the Trades and Labor Council says it is nonsense. It says, "We do not agree with you, but we can understand why you want to make it more harmonious with the federal legislation." The difference between the ALP and the TLC is that the TLC is a bit more pragmatic. As an architect of the legislation, I wondered why members opposite were more scared of this part of the legislation than anything else. They are petrified of this. As the member for Geraldton said, if unions really did reflect the views of their members, why would they be scared of giving workers a choice? The reason is that unions have used these provisions at their whim and not at the workers' whim. Unions have used these provisions to hop to the jurisdiction that best suits them, rather than the jurisdiction that best suits their members.

All we want unions to do is forget about the techniques and choose one or the other. If a union believes that its future lies in the federal sphere, it should go to the federal sphere and give the state sphere, that may have operated for nearly 100 years, to another union that is prepared to work within the state system and make a go of it. Members opposite are worried that some unions in the TLC are prepared to work within the state system and say, "We will take coverage of those workers and awards." Workers will be able to choose via their membership to which sphere they want to go. If they do nothing, they will go federal if the union gets a federal award. However, if like the workers at the Geraldton Returned Soldiers League Hostel they say, "We do not want to go federal; we want to stay state", they will be able to resign from that union and join a union that is prepared to stay within the state system.

The Labor Party does not want workers to choose between state and federal awards. It does not want workers to choose whether to make a political donation. It does not want workers to choose whether to allow unions to access their personal details. It does not want workers to choose whether to take industrial action. This Labor Party is about enshrining rights not for workers but for union officials. I thought the role of union officials was to serve their members. Not on your nelly!

**MR BROWN** (Bassendean) [8.40 pm]: We have just heard another diatribe from the Minister for Labour Relations. The one interesting aspect of the Minister's speech is this: The member for Nollamara in a very detailed way pointed

out the inaccuracies of this full page taxpayer advertisement in the newspaper. The Minister for Labour Relations did not answer a single point. It shows one of two things - either that the Minister accepts that the member for Nollamara has accurately outlined the position, because he did not take issue with him, or he is simply incompetent and cannot answer the detail. All he did was rant and rave about a whole range of issues that were not within the subject matter before the Parliament; he did not justify this advertisement in any way at all. Quite frankly, if this were a debating competition, it would be zero for the Minister for Labour Relations and 10 for the member for Nollamara. He simply cannot justify the advertisement.

Several members interjected.

The SPEAKER: Order!

Mr BROWN: As indicated by the member for Nollamara very clearly, and specifically by reference to the legislation as it was and reference to the Bill that just went through the House, the advertisement can be shown time and again as distorting the true position. I will give another example how this newspaper advertisement seeks to distort the truth. Under a heading on union dues it reads, "In many cases your employer was obliged to collect union dues by deducting them from your pay." What the Minister does not say in that advertisement is that the Industrial Relations Act has never had a provision which allows a tribunal to order such provisions to go into awards. The only way provisions for the collection of union dues can go into awards is where there is an agreement between both parties. The Minister says that the conservative Government supports agreements between employers, employees and unions, yet it introduced this legislation which overrides agreements.

Mr Kobelke: It prohibits them.

Mr BROWN: Yes and knocks them out. Why does it do that? It is purely for ideological and philosophical purposes to bash the unions and try to stop payroll deductions when they have been agreed between unions, employees and employers covered by an award or agreement. That is the fact of the matter. Is that reflected in the newspaper advertisement? Does it say what are the existing provisions of the Act and how they got there? No, it does not say that. It says, "In many cases your employer was obliged to collect union dues by deducting them from your pay." What an absolute distortion. Goebbels would have been proud of that distortion. Not only is that a distortion of the truth, but also it is paid for by taxpayers' money. At least if the Minister were honest about political donations and concerned about people paying money into campaigns of this nature, having said that ordinary working people should not pay money into political campaigns, he would then say, "We will make this \$340 000 available. We will look at the vote at the last election. We will donate 41 per cent to put the Liberal view, 38 per cent to put the Labor view and four per cent to put the view of the Greens or whatever else it is." At least that would have been honest. On the one hand he says that the Government is very insistent that ordinary people should not have their money used for political purposes and on the other hand he completely flies in the face of that view and requires taxpayers' money for Liberal Party ideology. That is what this is all about. It is nakedly there for all to see. A number of government backbenchers who were jeering and cheering the Minister have disappeared from the Chamber. They do not want to listen to the truth because the truth hurts. When people listen to the truth they learn something. The best way for them not to learn something is to disappear out of the Chamber and pretend that they have right on their side.

Let us talk about predictions. The Minister said in his speech that some of the 1993 predictions were wrong. A very significant prediction made in 1993 when the Government introduced legislation for workplace agreements was that one out of five employees who entered workplace agreements would be worse off. Who do members think made that prediction? Was it a member of the Labor Party? No, it was not. Was it a member of the Democrats? No, it was not. Was it an uninformed government member? It could fall into that category. Was it the Minister for Labour Relations? Yes it was. The Minister for Labour Relations when introducing this Bill never said that in the second reading speech.

Mr Kierath: When did I say it?

Mr BROWN: The Minister said it. The Minister knows he has confirmed that in answer to questions on notice. I know the Minister wishes he had not said it and he wishes he could scarp away from it. It took for ever to get the answer back from him, but he cannot get out of it because it was published. He introduced legislation which on his own prediction would make one out of five workers worse off.

Mr Kierath: Where was it published?

Mr BROWN: Did the Minister make the prediction?

Mr Kierath: Where was it published?

Mr BROWN: I am not going into where it was published. The fact is that the Minister made the prediction and now tries to talk about where it was published. Was it in the *Arabic Gazette*? Who cares where it was? He has confirmed

it in *Hansard*. When asked a question on notice about whether he was quoted correctly, his answer was yes. That is his view. When asked if it has turned out that way, his excuse is, "Ah, well, some casual workers could be disadvantaged, but they are really not disadvantaged because even though their hourly rate might have gone down they are working more hours, so they earn more." It is an unusual wage increase where an employee was paid \$400 for a 40 hour week and is now paid \$450 for a 50 hour week. They will say, "You beauty, thanks, Minister." This is a great Government! It is laughable. If the Minister took that to any industrial lawyers, they would laugh at it and say, "Go back and do the first year's study again. You have read the wrong books." The Minister is talking to the wrong people. That is the sort of drivel that we receive in answer to questions in this place.

The Minister's rhetoric is that he is worried about people having freedom of choice for political donations. If the Minister were really worried about that, he would protect the millions of dollars of workers' money invested in superannuation funds, and he would ensure that legislation was introduced so that fund managers in this country could not invest any workers' superannuation funds in companies that make political donations unless the worker agrees to the political donation that the company is making.

Mr Kierath interjected.

Mr BROWN: If the Minister were genuine, he would be advocating that. Does the Minister advocate that? He does not; he says as he says now, "That is a matter for the federal jurisdiction. We can't do anything about that. We don't say anything about federal issues that we disagree with." Is the Government quiet on those sorts of issues? It introduced the Fix Australia, Fix the Roads campaign during the term of the federal Labor Government. The Federal coalition Government has cut road funding to Western Australia, and where is the money to spend on the Fix the Roads campaign now? I have not seen any advertisements on television. That is because it does not suit the Government, in the same way that this argument does not suit the Government. If the Minister for Labor Relations believed in his rhetoric, he would issue press releases, talk about it in the media and champion this cause. The Minister does not believe it. This is a straight out attack on the unions. The Minister does not believe the rubbish he has put in the Bill about so-called political donations. The Minister wants to make it extraordinarily difficult for unions to operate and have a political voice. That is the purpose of this legislation. The Minister can make up all those other reasons; however, when one looks behind them, one sees there is no consistency in the Minister's argument. It is an eggshell argument. The Minister is as weak as water.

The Minister has found a good way to distort issues. The Minister has referred to a video that I appeared in as the former secretary of the Trades and Labor Council. Unlike the Minister I do not try to hide the things that I have done; I am happy to admit to them. What the Minister did not say is that the video is not a promotional video about legislation introduced by the Government; it is a video about significant changes in the wage fixing principles of the time. In many respects, they were not wage fixing principles that were liked by many people in the work force. However, they were considered to be in the national interest by all concerned. The video was not promoting government legislation or the Government, it was talking about the wage fixing principles at the time. The Minister did not inform the Parliament of that. He simply paraded around a video and by omission suggested that the video was promoting government legislation. The video was about the realities of the wage fixing principles. If the Minister is genuine, if he wants to lay out all the information, he should have the courtesy to do that, rather than raising the matter and suggesting, by omission, that the video was produced for some other purpose.

Another point I want to raise concerns workplace agreements. The Minister stated in his speech that 90 000 employees had signed up for workplace agreements.

Mr Kierath: No. I said 90 000 people have been involved in workplace agreements.

Mr BROWN: That is interesting, because during the Estimates Committee debates the Commissioner for Workplace Agreements mentioned the figure of 82 000. When the member for Nollamara asked the Commissioner for Workplace Agreements how many people were covered by workplace agreements, the commissioner said, "I don't know. People sign up; they might start work tomorrow and then they leave the day after, so the workplace agreement doesn't apply any more." Under this system the statistics could show one employer with 600 workplace agreements and only 10 employees! The Minister stands up and says, "Wow! Look here, we've got another 300 workplace agreements!" yet none of those people work there any more! What a load of old rubbish. If the Minister took that to the statisticians at the Australian Bureau of Statistics and said, "You've got to count these; this is the way we are now doing statistics", the statisticians would fall on the floor laughing at him. The Minister is an unbelievable joke bringing that in. I have no doubt the Minister will make a ministerial statement and say, "Look, we've got a lot more agreements now", but the Minister will not tell us how many are current. We cannot discover the turnover of staff in companies with workplace agreements.

Mr Kobelke: Given that the commission conducts a survey and does not ask the question, it is obvious the Minister does not want to know. That would be too embarrassing for him!

Mr BROWN: That is right. When one asks Ministers whether people are worse off, they do not know! I asked the Minister for Education whether people employed by cleaning contractors to clean government schools were paid the minimum wage. The Minister said, "I don't know." The Minister does not care. I asked the Minister for Labour Relations how many workplace agreements contain the minimum wage. He said, "I don't know; that it is too hard." I asked the Minister how many workplace agreements contain a wage rate below the minimum wage. He said, "I don't know." The Minister does not really care. That is the level of intelligence on that side of the House. The Minister comes up with these rubbery statistics and says that 80 per cent of people are better off.

The Commissioner for Workplace Agreements was asked during the Estimates Committee last week how he assessed people were better or worse off. I asked, "Do you do a comparison? What do you do to make that assessment?" The commissioner said, "We look at the document and if we think it is all right, we register it." I asked whether workers were better or worse off. The commissioner said, "Well, we think they are okay." I asked whether the commission compared one with the other. The commissioner said, "That's a bit hard! Boy, oh boy, do you think we've got lots of resources here? We don't know."

Mr MacLean interjected

Mr BROWN: The member for Wanneroo should read the *Hansard* of Estimates Committee A on 23 May. I invite the member to look at the questions that I asked and the answers I received. I have asked on about four separate occasions whether people are better off or worse off. The Minister is not required to provide me with an immediate answer; he is given time to provide a considered answer. What happens? I do not get an answer to that question. I have asked that question of the Minister on four separate occasions and I still do not have an answer.

Someone is at least telling the truth about the deregulation of the labour market that has largely come about through workplace agreements. An article appeared in *The Australian* on 16 May quoting the Reserve Bank Governor, Mr Ian Mcfarlane, on the effects of deregulating the labour market. The article reads -

He acknowledged industrial relations reform was politically difficult and often unpopular, entailing reduced job security and the possibility of a new class of "working poor" emerging as a wages gap opened up between the better paid and the low paid.

On each occasion I have asked whether this State is going down that path, which is the same path the United States of America has taken, by deregulating the labour market not one government Minister has been prepared to get up in this place and argue the contrary position.

Mr MacLean interjected.

Mr BROWN: When the member for Wanneroo has been in this place a bit longer he will understand the position. If he has any guts he will get up and make a speech. Let us hear his intellectual argument on this issue. He should not waffle on. He should make a speech and say it will not happen. Perhaps one of the Ministers should get up and say it will not happen. I have not heard one Minister say that this State will not go down the same path as the United States. People will get lower wages and people employed on workplace agreements are getting lower pay and conditions than they got under awards.

Mr MacLean interjected.

Mr BROWN: If the member for Wanneroo does not intend to make a speech, he should shut up; he is irrelevant. If he has any guts he will make a speech.

I bet that not one Minister in this place will get up and put that view. They will sit there apathetically and will not make that claim because they know they will have to answer to future generations. I am proud I opposed this legislation. I will tell my children and grandchildren how much I am opposed to this legislation. I am proud of that because when the wages gap increases and there is social dislocation, which is what is affecting other countries, and an increase in crime rates, and the division it will cause, I will be saying, "Read *Hansard* to find out where I and my colleagues stood on this issue."

While there is some short term gain there will be long term pain and this will apply not only to the people who are less skilled than others, but also to the mums and dads who are concerned about how their sons and daughters will be treated in the workplace.

A short time ago I raised in this Parliament the result of a very small survey of young workers which I organised. I raised it with the now Minister for Youth in this House. I said that some young workers who were surveyed were hostile at the way they had been treated in a number of areas. The Minister may remember he confirmed that some survey work being done by the Government was showing the same result. He may not wish to confirm that now.

In any event, as the Governor of the Reserve Bank said, there will be very clear divisions in the community. Many international observers and people who have examined what happens in deregulated labour markets know all about this issue. The union movement in the US is irrelevant in economic terms. It covers one in 10 workers. Ninety per cent of US workers are engaged on individual contracts. In 1986, 13 per cent of the US work force received a wage below the poverty line. Five years later, in 1991, 20 per cent of the people in that country, or one in five workers, received a wage below the poverty line. President Clinton, in his speech to the national governors' association 18 months ago, referred to the fact that in the US, under a deregulated labour market, there was a shrinking of the middle class and a burgeoning growth in the under class, and that does not mean the working class. I am talking about the people who cannot afford to be part of the community. These people are disfranchised. Members should look at the trend in New Zealand. That is exactly where this State is headed.

The least the Government can do is be honest and straight in the advertising campaign it is running. To publish newspaper advertisements like the one headed "Your choices in the new workplace", which was paid for by the taxpayer, and is clearly wrong, not based on fact and designed to distort and create a political position for the Government, is clearly a misuse and abuse of taxpayers' funds.

The Government stands guilty of doing a major disservice to the workers who are the weakest in the labour market. It also stands guilty of doing a Goebbels' act by trying to deceive people of the real intent of the legislation. That is unforgivable. In terms of equity it is unforgivable that legislation like this was introduced in the first place, but to use taxpayers' funds to create a false illusion in the interests of party politics is a breach of faith by the Government to the electorate of Western Australia; an electorate the Government should be seeking to serve rather than, by its propaganda campaign, attempting to corrupt.

Question put and a division taken with the following result -

Ayes (19)

Ms Anwyl	Mr Grill	Mr Riebeling
Mr Brown	Mr Kobelke	Mr Ripper
Mr Carpenter	Ms MacTiernan	Mrs Roberts
Dr Constable	Mr McGinty	Mr Thomas
Dr Edwards	Ms McHale	Ms Warnock
Dr Gallop	Mr Pandal	Mr Cunningham ( <i>Teller</i> )
Mr Graham		

Noes (28)

Mr Ainsworth	Mr Johnson	Mr Prince
Mr Barnett	Mr Kierath	Mr Shave
Mr Barron-Sullivan	Mr MacLean	Mr Sweetman
Mr Board	Mr Marshall	Mr Trenorden
Mr Bradshaw	Mr Masters	Mr Tubby
Mr Day	Mr Minson	Dr Turnbull
Mrs Edwardes	Mr Nicholls	Mrs van de Klashorst
Dr Hames	Mr Omodei	Mr Wiese
Mrs Hodson-Thomas	Mrs Parker	Mr Bloffwitch ( <i>Teller</i> )
Mr House		

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Pairs

Mr McGowan	Mr Court
Mr Marlborough	Mr Cowan

Question thus negatived

**MOTION - STATE FINANCE**

*Taxes and Charges - Government's Mismanagement*

Resumed from 14 May.

**MR PENDAL** (South Perth) [9.13 pm]: In the debate that was begun on this issue a fortnight ago, the Leader of the Opposition made a number of points about the level of government involvement on a variety of fronts in Western Australia. For example, I recall he talked about the Government's involvement in the Elle Racing syndicate. There was some discussion at the time about the Government's involvement in a grant to the Global Dance Foundation and reference was made to an issue on which I have had something to say in recent times; that is, government involvement

in the cinema industry in the northern suburbs. I will use the present debate to raise some associated, but wider, issues that touch on unnecessary government involvement in business. I will discuss that against the background of the move of this Government and its predecessor towards the privatisation of government industries, to a larger or lesser extent.

In the past couple of days Western Australia has been treated to the Government's plans to privatise one of the major natural gas pipelines from the north to the south west of the State. Considering the Government's track record of privatising BankWest, selling off the Midland Workshops, and closing down the government engineering works, it is all the more puzzling why the Government would allow organisations such as LandCorp to grow like Topsy. If anyone doubts that LandCorp is growing like Topsy, he should take the trouble to look at the annual reports that have been tabled in this place on that government agency.

I draw the attention of the House to a new activity that has come to my attention as a result of a submission by the Urban Development Institute of Australia to the one man panel that has been appointed to undertake a review of the operations and effectiveness of the Western Australian Land Authority Act that went through this place in 1992. I will use one example from that submission to indicate how the Government has lost control of its own policy agenda. I ask members to consider the increase in the Government's land dealings against the background of the Government's decreasing involvement in those industries to which I referred. In particular, I draw the attention of members to the fact that the present Government purchased a tract of land at Golden Bay, just north of Mandurah, for \$17.25m - not an inconsiderable amount of money. It is a parcel of land of about 184 hectares. At the time of purchase that represented a per hectare unit cost of something like \$95 800. That was described to me recently by a senior member of the private sector who is involved in land development as top dollar for land in the south west at that time. It begs the question why the Government bought into that area in Golden Bay anyway. Considering the charter this Parliament gave LandCorp, I suggest LandCorp is far exceeding what it was charged to do.

The land at Golden Bay could not be described as anything other than land in the dress circle. I put it to members of this House, and I certainly put it to the Government, that the purchase of land in dress circle locations such as Golden Bay will in no way assist the future home buying prospects of people of modest means. In fact, according to the UDIA report that I will quote shortly, it will have precisely the opposite effect. The UDIA believes the purchase of that land for \$17.25m will help to inflate land prices to the end consumer. All of that was done with the consent of the Minister. According to LandCorp's reports the Minister for Lands must give his personal approval for every transaction it undertakes with a value of more than \$1m. Clearly, this is within that category. I am told that LandCorp has always claimed it obtained an independent sworn valuation for the Golden Bay land. If that is true, through this debate tonight I invite the Minister to table in this House that independent sworn valuation. That valuation in itself would not disprove or undermine the arguments that have been made, for reasons I will explain when I quote from the UDIA document. I want to impress on members, particularly on government members and Ministers, that it is not just a concern of mine. That concern is shared widely within the private sector. A submission was made by the Urban Development Institute of Australia to the review of the operation and effectiveness of the Western Australian Land Authority Act 1992. It is an interesting report but I will quote only two brief parts of it. It is stated at page 5 -

UDIA submits that, contrary to the declared aims of the Act, the operation of the Authority can and does work against competition in residential lot supply, continuance of lots supply and price moderation.

It continues -

For example, the purchase of broadacres at Golden Bay from the Hoffman/Bombara partnership was viewed with astonishment by the industry, which regarded the price as being too high, notwithstanding the valuation justification.

It served no purpose in terms of lot supply or ensuring a competitive element since these are both manifestly in existence in the south-west corridor with a large number of private sector developers competing across all market sectors.

I checked yesterday with a senior industry source on the number of private sector developments in this area, bearing in mind that the number is important to the argument because one of the justifications for having LandCorp is to introduce a competitive element in parts of the State where competition does not apply. I was told there are no fewer than 11 major and reputable private developers in and around the Rockingham region right now, which takes in the area of Golden Bay to which I have referred. It is further stated at page 5 that the purchase of the Hoffman land for \$15m -

... set a new benchmark for broadacre prices and effectively underwrites the price of broadacres in the area,

Members should listen carefully to the following words -



- hence serving to inflate the price to the end purchaser.

How on earth can the Government justify one of its agencies via LandCorp making a purchase to stimulate competition in an area rich with competition, to provide land for people of modest means and pay more than \$17m with the ultimate effect of inflating the price to the end purchaser? That means the Government itself has been involved in artificially inflating the price of land. If that is not an abuse of the charter of LandCorp, I do not know what is. If it is not totally contrary to the views, philosophies and policies of a coalition Government, I do not know what is. That report is replete with concerns, but I shall confine myself to only two areas. At page 6 of the report, answering term of reference (g) relating to the cost and benefit of downsizing the authority's current land inventory, it is stated -

The Authority's land inventory and its resultant debt levels should be of concern to the government and the community.

I am quoting from a major report by a private sector group which is expressing its concerns about the resultant debt levels, which I will mention in a moment. The Minister may be interested to know that this report was written by people who are very business literate. If he wants to attack me, he must also attack those people whose private sector values should be shared by his Government. One of the real ironies is that this Parliament recently was asked to privatise BankWest and it did so. BankWest was privatised and into the bargain it decided to vest itself of its land holdings. What happened to the land holdings of the bank being privatised? They were taken over by LandCorp. If that is not the mother of all ironies, I would like members to tell me. That occurred in December 1995, and it demonstrates the utter absurdity of the way in which this Government has allowed LandCorp to get out of control under direct ministerial authority. The matter has not stopped there. It is stated in the 1996 annual report of LandCorp -

The first stage has begun for the preparation of the master plan for the proposed Alkimos/Eglinton Masterplanned community.

If that had appeared under the auspices of a Labor Government, members of the Liberal and National Parties would have laughed it out of the House as being the sponsor of a nanny state. My real concern is with the following -

Being undertaken jointly by LandCorp and Eglinton Estates Pty Ltd, the planning area covers 2,700ha . .

I do not know how much of that is the holding of LandCorp but it certainly indicates much of it is. To use LandCorp's words it is a venture "being undertaken jointly by LandCorp" and that one body in the private sector. One is entitled to assume the Government's interest is in the region of 1 350 ha. That is a mammoth area and makes the Golden Bay deal look like a minnow in comparison.

In 1995-96 LandCorp spent \$143m, of which \$135m was for land acquisition. I ask why a Liberal-National Party Government that is committed to downsizing the public sector and has gone through the pain and agony of selling BankWest, is upsizing the land development industry and squeezing out the level of competition that already ensures the prices are moderated in that industry. Why are we doing it at all when part of the revenue for LandCorp comes from government grants? How many members knew that?

At page 41 of that annual report, we are told that in 1996 LandCorp received \$7m from consolidated revenue as a direct government grant. Why? In 1995, it received \$5m - that is a total of \$12m in two years. We cannot get the Government to commit itself to building bridges across the freeway south of my electorate because there is no money. It begs the question again - the same question I posed in respect of a cinema at Joondalup: Why are we spending government funds providing services that a Government has no right to provide according to present government policies while LandCorp is receiving direct funding? It is not being sent into the marketplace to trust itself in that competitive world; it is not being asked to keep afloat as a result of its own sharpness in the marketplace - it is getting government grants at an average of \$6m a year.

They are good reasons for the motion to be passed. However, more than that, they are good reasons for the Government to ask itself what it is doing that is so different from the conduct that it criticised the Labor Party for in the 1980s? Can members tell me that this is any different from the \$150m underwriting of the original Rothwells' rescue - a rescue and underwriting that we were told would never be called upon. Of course, if it will never be called upon, why is it offered? It has a parallel here: If there is no risk of public funds with LandCorp, why is it in the market in the first place, especially in dress circle areas that are already subject to very high levels of competition?

It is time the Government got itself a white board and put on one side what it now believes in and what it previously believed in. On the other side it should put how that is matched by its rhetoric and conduct. It does not coincide very well. For those reasons, the motion should pass.

**MS MacTIERNAN** (Armadale) [9.32 pm]: I also support the motion which condemns the Government's record in financial management and accountability. Of course, there are many instances that the Opposition could raise, but tonight I will focus particularly on Westrail. This will not be as extensive an analysis of Westrail as I would like to provide, but it has been very difficult to get information about Westrail. That is the first point, and it goes very directly to the part of the motion dealing with the failure to account properly for the use of taxpayers' funds.

Two years ago this Government, which ran on a strong accountability platform in the last election, decided that Westrail would no longer be subject to parliamentary scrutiny; it would be taken out of the Budget. In the recent Estimates Committee hearings, when I quizzed the Premier on why this was so, he replied that Westrail was a corporatised entity, like BankWest. He went on to contradict himself by saying that he had always been outraged that he had been unable to scrutinise BankWest for that reason. That is why he decided he would sell it. It seems ironic that, if he thought that was a bad thing, he would put supposedly corporatised entities into that same position himself. The Premier was then corrected by his advisers and told that Westrail had not yet been corporatised, but that it would be at some time in the future. The Government had not put in place the other accountability mechanisms that one supposedly establishes when one corporatises, such as a responsible board. Here we have an entity which is not a corporatised entity, but which might be at some time in the future, which does not have an accountable board capable of overseeing its operations, but which has been taken out of the Budget.

The Premier decided to try another justification for taking Westrail out of the Budget. The second try was that its only budgetary input was as a result of a contract that it had with the Department of Transport for the provision of passenger rail services. That is very interesting. I asked the Premier to tell the committee about the contract - was it tendered, fixed price or cost plus? The advisers had to admit that the Premier was wrong again. In fact, the Government did not have a contract but an arrangement. However, it was an arrangement without the normal conditions because there was no fixed price, set price or formula for determining how much would be paid to Westrail. The arrangement was simply that Westrail would be paid whatever it expended.

We are talking about \$112m. This money, which is spent on the provision of a passenger service, which has been in the Budget since God was a boy and which has been removed, is now in a black box. We in this Parliament have no opportunity to scrutinise that expenditure.

That is an appalling state of affairs. As I said, absolutely no plausible explanation has been given by the Premier about why Westrail has been taken out of the Budget. I believe it has been done to conceal some very dodgy practices in Westrail and to enable it to manufacture a supposed profit.

I will now set out the example of one contract process - there are many, but I do not want to overwhelm members with a litany of horror stories from Westrail. As part of the Right Track program, Westrail contracted out its track maintenance program some time in mid-1996. In the process, it sacked 200 track maintenance workers and gave them various redundancy payments, some up to \$20 000. However, it seems that Westrail was a bit over enthusiastic and it had to engage an employment firm to reemploy those workers. About 50 were re-employed and paid at least twice the hourly rate they had previously been paid. The transaction cost Westrail hundreds of thousands of dollars.

Another interesting twist was that the labour hire company that was used to re-employ these people - because people who have been paid redundancy cannot be re-engaged directly; a labour hire firm must be interposed - was a company called Track Force. That turned out to be a company run by a Mr Max Bird and his son Michael. It is interesting that they were given this contract before that company had even been registered as a business. According to the answers that we were given in the Parliament, the contract was with Track Force Management Pty Ltd, but we were able to show that Track Force was not incorporated until a year after these contracts had been given to that company.

It is not surprising that Westrail was particularly lenient with this outfit, because Michael and Max were well known to Westrail. Michael had worked for Westrail in the past, and his father Max was still a track maintenance inspector and was, in fact, inspecting the track that his labour hire firm had been engaged to maintain. Mr Bird and his son and their company were in a position of clear conflict of interest. Mr Bird has said from time to time that he has nothing to do with that company and it is just a coincidence that it happens to be owned by his son. We have been told by various people who have been employed by that company that they were employed by the father. The important point is that either way, there was a profound conflict of interest: There is a real question as to whether Max was in a position as an inspector to influence the rate of redundancies, thereby creating a market for his labour hire firm. Secondly, he was inspecting the track that was being maintained by his or his son's firm.

Shortly after these questions were raised, Mr Max Bird ceased working for Westrail in August 1996 and commenced work with John Holland Construction and Engineering Pty Ltd, which was one of the companies that was successful in tendering for track maintenance. I thought that was the last we would hear about Max Bird, but a couple of weeks ago we started receiving calls again. The allegations were that Mr Max Bird was back at Westrail and some funny

business was going on. Therefore, we put some questions on notice to the Minister for Transport to see whether he could give us some idea about what was going on.

We have gleaned from the information that we have received from the Minister for Transport that less than a year after Mr Bird left Westrail, he was seconded to Westrail as part of an employee exchange program. Employee exchange programs are designed to give people in one area of business or government experience in another area, or to give people who are in government experience in a private company. However, Mr Bird had worked for Westrail for decades and had plenty of experience in Westrail. He had been at John Holland for only 10 months when he was seconded to Westrail as part of this employee exchange program.

We found that very odd, and we asked the Minister for Transport what sort of work Mr Bird was now doing for Westrail on this exchange program. The answer from the Minister for Transport was as follows -

Mr Bird is performing the role of Per Way Superintendent and is required to inspect and monitor works carried out by John Holland Construction and Engineering Pty Ltd.

Mr Max Bird was working for Westrail but went to John Holland. After 10 months, he was seconded from John Holland to Westrail to undertake the important job for Westrail of monitoring and inspecting John Holland's work! It gets better than that, because not only is he beholden to John Holland because he will go back there when his exchange program has finished, but also it seems - again we are quoting the Minister - that during the period that he is working for Westrail as a per way superintendent, he is being paid by John Holland. That is extraordinary. A contract has been let to a company to maintain track. Westrail employs staff to monitor the performance of that company. However, whom does it put in charge of monitoring the performance of that company but a person who is employed by that company and is seconded to the Westrail position! The company continues to pay the wages of that person, yet that person is somehow supposed to ensure that the taxpayers' funds that have been paid to this private company are spent properly and that the job that has been contracted is delivered to satisfactory standards. It is unbelievable that that situation could arise and that the Minister for Transport could happily give those answers in Parliament without any shame, and without appreciating the extraordinary conflict of interest that it raises.

That is but one example of many that we have, and I am sure we would have many more were we able to properly scrutinise the accounts of Westrail through the normal budgetary process. After hearing that that sort of practice is not only tolerated by Westrail but also clearly condoned by the Minister, one can have little confidence that anyone is minding the shop and that this process of contracting out is being subjected to real scrutiny.

**MR RIPPER** (Belmont - Deputy Leader of the Opposition) [9.46 pm]: I am pleased to support this motion condemning the Government for its failure to properly manage and account for the use of taxpayers' funds. People who read *Hansard* might not realise that this debate was continued from a previous week. I sought, in order not to repeat the arguments on too many occasions, to look at the *Hansard* for the last time this motion was debated, but regrettably it is not yet available due to industrial action. I will, therefore, take a few moments to remind members of the House about some of the difficulties into which this Government has got itself.

There has been a tremendous amount of debate about Global Dance Foundation, the Elle campaign and Elle Racing Inc, but because of the many details that have been elaborated, members may have lost sight of some of the basic facts. Let us look at Global Dance. The State Government handed over \$430 000 of taxpayers' money to Global Dance Foundation, of which \$215 000 was handed over before the foundation had even been incorporated. It was incorporated on 1 June 1995, and it received that \$215 000 on 26 May. The Premier was proud to announce that there would be a World Dance Congress in November 1995. That was well after that payment was made. However, less than eight months later, the organisers wanted to delay the World Dance Congress until 1999. We have paid out \$450 000 for a World Dance Congress. I doubt whether there will be such a congress. There does not seem to be much evidence that will happen. Neither does it look as though Elle Racing will have an entry in the Whitbread Round the World Race. This Government gave \$440 000 to Elle Racing without checking the financial record of the head of the syndicate and without checking the capitalisation of that company. I doubt that there will be any return from that money.

I understand no work is being done on the boat in Sydney. The deadline for an entry in the Whitbread Round the World Race is rapidly approaching, and there has been no entry from Elle Racing Pty Ltd. Part of the rationale for the campaign will fail if there is no entry. That entry is required to gain some of the free publicity from the Elle campaign the Government has been boasting about. Support for the entry was justified originally on the basis that there might not be a Fremantle stopover in the race if there was not a Western Australian entry. We face the loss of the free publicity; the possible loss of the Fremantle stopover in the race; and the probable loss of \$440 000 of taxpayers' money. I do not know what is going on in the Tourism Commission and EventsCorp. It seems procedures have become very sloppy and there has been inadequate management of their procedures for letting contracts and inadequate financial control.

I will give another example. The World Mining and Energy Games were held in Perth, to which I understand the Government gave \$125 000. Unfortunately these games were a profound flop. They were supposed to attract 3 000 competitors, but only 185 interstate people participated. The economic impact was \$400 000, not the \$5.5m predicted. There are some great difficulties in the Tourism Commission and EventsCorp.

Interestingly there has not been much response from the Government to the issues we raised the last time this motion was debated or tonight. As I recall - I have not been able to check the *Hansard* because of the industrial action - the Premier embarked on his usual tirade about the faults of his predecessors. I must inform the Premier that this is wearing very thin and rapidly reaching its use-by date. Members of the public will no longer tolerate this Premier defending this Government's actions by simply pointing to the actions of Governments which have preceded him in office. He has been in office for four and a half years. He cannot continue to defend this Government by pointing to the sins of others. Although the losses about which I have been speaking might not be akin to tens of millions or hundreds of millions of dollars, these faults that have been identified could lead to losses of such proportions if no action is taken to impose better controls.

I now draw on an issue raised in the Estimates Committees last week. It is a pity my colleague, the member for Armadale, is not here because she pursued the Minister representing the Minister for Transport on another financial issue. We on this side of the House have been very concerned about the contracting out of services which has been done in a way that does not preserve the quality of the services and has not safeguarded the State's position. My colleague, the member for Armadale, pursued the issue of contracting out of the metropolitan bus transport system. Millions of dollars have been paid to private bus operators. From my reading of the record of the Estimates Committee proceedings, it does not seem to me that sufficient safeguards have been put in place to ensure the private bus contractors fulfil their contracts.

The risk in some of these contracts is being borne by the Government, rather than by the private operators, particularly in the first year of operation. The private bus contractors are paid a price for offering the bus services and it does not matter what revenue they collect. They will get the price irrespective of the revenue they collect and the patronage. They are allowed to keep the revenue, and the payments from the Government top up the amount of money they get until the price is reached. In subsequent years they are supposed to be paid some incentives on the basis of patronage. The Government examines the patronage in the first year and if it increases, the companies are given incentive payments. That sounds fine, except that there is no incentive for the companies to maintain patronage or to collect revenue diligently in the first year. In fact, there is a powerful incentive to keep the revenue and patronage down in the first year, because that year becomes the base year for the determination of future patronage levels and also for the future incentive payments.

There is obviously a flaw in this contracting system. In the first year the Government takes the risk that the patronage and revenue will fall, rather than the companies taking any risk. The companies are in a position where, if anything goes wrong, the Government must top up the contract price. More than that, the companies have an advantage if things do not work out very well because the first year becomes the base year which then determines their future payments. That is only one example, and the Government is entering into many more contracts.

About a billion dollars worth of public sector business is being contracted out. If that is the way in which the distribution of risk is being handled and the Government is safeguarding the State's interests, more and more incidents like those which have been revealed concerning the Tourism Commission and EventsCorp will come to light.

Quite a bit more can be said about the Government's management of finances, and no doubt the Government could say some more about it; however, we have had no defence from the Government tonight. During the last sitting week all we had from the Premier was finger pointing at the actions of the Governments previously in office. That is not good enough. As time goes on the Government will find it will need to defend itself much more vigorously and treat these arguments with a great deal more respect. I commend the motion to the House.

Question put and a division taken with the following result -

Ayes (19)

Ms Anwyl  
Mr Bridge  
Mr Brown  
Mr Carpenter  
Dr Constable  
Dr Edwards  
Dr Gallop

Mr Graham  
Mr Grill  
Mr Kobelke  
Mr McGinty  
Mr McGowan  
Ms McHale

Mr Pandal  
Mr Ripper  
Mrs Roberts  
Mr Thomas  
Ms Warnock  
Mr Cunningham (*Teller*)

## Noes (27)

Mr Ainsworth	Mrs Hodson-Thomas	Mrs Parker
Mr Baker	Mr House	Mr Prince
Mr Barnett	Mr Johnson	Mr Shave
Mr Barron-Sullivan	Mr Kierath	Mr Sweetman
Mr Board	Mr MacLean	Mr Trenorden
Mr Bradshaw	Mr Marshall	Mr Tubby
Mr Day	Mr Masters	Mrs van de Klashorst
Mrs Edwardes	Mr Minson	Mr Wiese
Dr Hames	Mr Nicholls	Mr Bloffwitch ( <i>Teller</i> )

## Pairs

Mr Riebeling	Mr Cowan
Mr Marlborough	Mr Court

Question thus negatived.

### REGIONAL DEVELOPMENT COMMISSIONS AMENDMENT BILL

#### *Second Reading*

Resumed from 8 May.

**MR RIEBELING** (Burrup) [10.02 pm]: The Opposition supports this Bill. There are four points to be made on the purpose of the Bill. It allows board members to serve two full periods of office, which will amount to six years. Previously it was restricted; board members could serve only two terms. If one of the terms was 12 months, it meant that they could serve only four years as a maximum. This seems to be a sensible amendment to the legislation to make the maximum period six years over three or four terms, if it is considered necessary. Councillors who are appointed to boards because they are members of local government councils will lose their ability to be members once they lose office. That makes sense in the context of why they are on development commissions.

The only area that causes some concern is that in the Minister's second reading speech he indicated that the changes to the legislation would enhance regional Western Australia's ability to have a say in what is going on. However, it appears the Minister's power to appoint people to the council which controls the overriding commission will increase from one appointee to three. Two of those three people are to be appointed from a list of people nominated by the Western Australian Municipal Association. Effectively, the Minister would be able to say that it was not him who did the appointing but WAMA. I know that WAMA is very keen to have some say on the appointments to the overriding commission. However, it is of some concern to me and members on this side of the House that once again the centralisation of powers in Perth seems to be continuing.

More and more people of a conservative nature are being appointed to these boards. That will happen until such time as this Government is no longer the Government. It appears that we are losing some of the apparent mix that existed prior to the Government taking over the reigns of development commissions. It is somewhat disappointing that the independence of the development commissions has been watered down to a great extent, and that the power over the operation of these commissions is now primarily with the Minister. That in itself is a negative trend towards removing the autonomy of regional development commissions back to St George's Terrace. Some of the problems country people are facing with current government services being wound down start from development commissions. I hope that the Minister in the fullness of time will reverse that trend and start making development commissions more autonomous again, so that they can respond more accurately to the aspirations of people in regional Western Australia.

This not very complex Bill is three pages in length. The reasons for the amendments appear to be sound and justified. We do not object to them. Our only concern is the apparent centralisation of decision-making in Perth. I will appreciate the Minister's comments as to why the three appointments are necessary. I understand that WAMA is keen to have the ability to nominate. That will probably be the answer, but I would like it on the record. We support the Bill.

**MR BROWN** (Bassendean) [10.10 pm]: I join with my colleague in supporting the legislation. Essentially, the legislation seeks to correct an anomaly that was created by previous drafting to enable members of regional development commissions to retain office for six years. That may mean that they are appointed for more than two terms when any one term is less than three years. That is a sensible proposal.

The other primary amendment to the legislation is the change to the composition of the Regional Development Council. That council is established by section 33 of the Regional Development Commissions Act. It comprises the chairperson of each regional development commission and a person appointed by the Minister. The proposal in this Bill is to enable the Minister to appoint three people, two of whom will be nominated by the Western Australian Municipal Association. I understand that commitment was made to the Western Australian Municipal Association by the coalition prior to the last election. It is reasonable for organisations which are intimately involved in issues of this nature to have representation and therefore I support the inclusion of that provision. In supporting it, however, I note the Government has not been consistent in other legislation in recognising organisations that are involved in given areas. Other legislation that has come before the Parliament has excluded or deleted organisations from taking part in peak bodies. I instance legislation that came before this Parliament two or three weeks ago which excluded the State School Teachers Union from involvement in curriculum development.

Mr Barnett: It did not exclude it. It did not give it a guaranteed nomination.

Mr BROWN: That is right. There does not seem to be much consistency in the position adopted by this Government in these matters. It seems that organisations favoured by the Government are included in legislation and organisations that the Government does not favour are excluded from legislation and Bills are introduced to exclude those groups. I guess that is an indication of the political flavour of the Government. Nevertheless, it is not a consistent position for the Government to take in openly involving organisations that are involved in areas of development.

Mr Barnett: It might depend a little on whether you are looking at an organisation to be represented which on some occasions can be appropriate, or whether you are looking at particular expertise to deal with the subject matter. The Curriculum Council is an example of the latter.

Mr BROWN: I am sure all sorts of distinctions could be made. However, that is not the only Bill that has come before the House that has excluded organisations. They have tended to be organisations that represent employees. The Government has not adopted a consistent position on the involvement of organisations that are intimately involved in subject issues. I leave it at that. It reflects on the political persuasion of the Government. Taking a consistent point of view, I support the inclusion of the Western Australian Municipal Association in this legislation.

The other matter I raise briefly is that the amendments the Government is making in this Bill are to the Regional Development Council and the extension of that council. That council had produced for it, through the Department of Commerce and Trade, a publication titled "The global incentives for regional industry". That publication refers to the incentives that the Government should be putting in place to attract industry to regional areas. It is an easy to read document. It refers to the incentives that were provided by the Australian Government to encourage regional development and that are provided in a number of other countries to promote regional development. The document points out that it is important to have a balanced approach to regional development and that many of the regional areas currently rely on one or two primary industry sectors to generate economic wealth, and there is a need to diversify the economic base of the nine regions. It also states that while there are some barriers to the establishment of new industries in the regions, if all of those barriers were removed, there would be no guarantee that industry would locate in the nine regions anyway; there is an incentive for industry to locate centrally. The report suggests that a number of schemes must be introduced to encourage industry to locate in the regions. It is a good report, but given undertakings about time I will not go through it all.

The report was published in October 1996 and was produced as a discussion paper. I cannot recall seeing a response to the report from the Minister for Commerce and Trade. It is a serious report that raises a number of important issues. Those are the issues that will continue to exercise the collective minds of the people who will be on the Regional Development Council. It is worthwhile in my view to get some response. I appreciate that the Minister for Commerce and Trade tabled late last year a report on the industry incentives program prepared by consultants. That program is a broad program to attract industry to Western Australia. However, it does not necessarily have a regional focus. This report deals with the need for having not simply an industry attraction program but an industry attraction program that encourages industry, particularly economic units, to locate in country areas.

With those few comments I support the Bill. Although this Bill was not on the Government's agenda to be dealt with this week, there were discussions behind the Chair which involved the Leader of the House and the Minister for Primary Industry. The Bill needs to go through this place and the other place to facilitate appointments that are to be made in about a month and unless it goes through the Houses in the next few weeks, people who had short appointments will not be eligible for reappointment. It is not our intention to stand in the way of that through some technicality. We are happy to cooperate with the Government on this matter and see this Bill through the House.

Finally, when the Bill was introduced, someone from the Minister's office or the department provided a briefing to me and arising from that I took the opportunity to write to a number of regional commissions to find out whether they had any comments to make on the Bill. I did not receive a reply from all of them. However, of those from which

I received a response, the commissions were supportive of the legislation. For those reasons I support the Bill. In supporting it I wish the Government well in the future appointments and hope some consideration will be given to that which the member for Ashburton said about the need for balance. That is an important consideration. I look forward to the Minister for Primary Industry talking to his parliamentary colleague about a response to the report to which I referred.

**MR HOUSE** (Stirling - Minister for Primary Industry) [10.20 pm]: I thank the members for Bassendean and Burrup, who have proffered their support for this legislation on behalf of the Opposition. Both members want the board to reflect the views and ideals of a broad range of the community. I will discuss that matter with the Minister for Regional Development. As a representative of a rural constituency I am aware of the diverse views of people about the development of that region. My electorate from the south coast to the central great southern has a different balance of people with different views and ideals, and it is proper that their views be represented on these commissions.

The Opposition also raised the independence of development commissions and expressed some concern about the number of ministerial appointments that will be made in the future. The enlargement of the boards will not change the general mix of board members. The Minister will now be able to appoint three people. However, because the commissions are being enlarged the balance of ministerial appointments compared with other appointments will not change to any great degree. It is a relevant point that we will take into account.

The member for Bassendean referred to the issues raised in the report on the development commission. The Government has tried hard to attract development to regional areas. That has been successful in some areas, but not so successful in others. That report must be actioned.

I also thank the member for Bassendean and the member for Burrup for facilitating the quick passage of this Bill through the Parliament, and the Leader of the House for accommodating that. Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and transmitted to the Council.

*House adjourned at 10.25 pm*

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**QUESTIONS ON NOTICE**

**MINISTER FOR RESOURCES DEVELOPMENT - PORTFOLIO RESPONSIBILITIES**

28. Dr CONSTABLE to the Minister for Resources Development; Energy; Education:

What is the name of each committee, board, tribunal and all other similar bodies within the Minister's portfolios?

Mr BARNETT replied:

Department of Resources Development

Local Content Advisory Group  
East Rockingham Industrial Park Community Advisory Board  
Kwinana Industries Coordinating Committee  
Kemerton Advisory Board  
Ord Stage 2 Steering Committee  
South Hedland Enhancement Scheme Steering Group  
Dredging Management Plan Committee  
Mineral Sands Agreement Rehabilitation Coordinating Committee  
Collie Coal Mines Rehabilitation Committee  
Pilbara Iron Ore Environmental Management Committee  
Town of Port Hedland Townsite Development Taskforce  
West Kimberley Land and Water Resources Development Steering Committee  
Burrup Land Use Planning Implementation Group

Office of Energy

The Office of Energy, including the statutory positions of the Coordinator of Energy and the Director of Energy Safety, is responsible for, or provides the principal means of support to, the following:

Alternative Energy Development Board and its Sub-Committees  
Electrical Industry Liaison Group  
Electrical Licensing Board  
Electricity Access Steering Committee  
Electricity Distribution Access Consultative Committee  
Electricity Transmission Access Consultative Committee  
Financing Efficient Energy Use Advisory Committee  
Gas Distribution Access Steering Committee  
Gas Distribution Access Implementation Committee  
Gas Transmission Consultation Committee  
Underground Power Steering Committee

Western Power

I am advised by Western Power that because of the broad nature of the question, it is difficult to compile a list of committees, boards, tribunals etc. Western Power has numerous working committees covering all operational responsibilities throughout Western Power. The responsibility of Western Power rests with the Board of Directors.

AlintaGas

The AlintaGas Board of Directors  
The Gas Pipeline Sale Steering Committee  
The Gas Transmission Consultation Committee

Department of Education Services

Curtin University of Technology Council  
Edith Cowan University of Western Australia Council  
Kalgoorlie Campus Council  
Murdoch University Senate  
Muresk Institute of Agriculture Board of Management  
The University of Western Australia Senate  
Western Australian Higher Education Council  
Aboriginal Education and Training Council  
Country High School Hostels Authority

Department of the Curriculum Council

Interim Curriculum Council Committee  
Interim Curriculum Council Executive Committee  
Overarching Statement Committee  
Values Consultative Group



Inclusivity Working Party  
 The Arts Learning Area Committee  
 English Community Reference Group  
 Health and Physical Education Learning Area Committee  
 Languages Other Than English Learning Area Committee  
 Mathematics Learning Area Committee  
 Science Learning Area Committee  
 Society and Environment Learning Area Committee  
 Technology and Enterprise Learning Area Committee  
 The Arts Community Reference Group  
 English Learning Area Committee  
 Health and Physical Education Community Reference Group  
 Languages Other Than English Community Reference Group  
 Mathematics Community Reference Group  
 Science Community Reference Group  
 Society and Environment Community Reference Group  
 Technology and Enterprise Community Reference Group

Secondary Education Authority

Tertiary Entrance Subject Committee

Education Department of Western Australia

The following bodies fall directly under the responsibility of the Minister for Education:

Home Tuition Appeal Board  
 Public Education Endowment Trust  
 Early Childhood Education Council  
 Interim Curriculum Council

Those bodies which operate through the Education Department of Western Australia are too numerous to name here. Specific information can be provided to the Member upon request.

#### GOVERNMENT PROPERTY - SALE

70. Dr CONSTABLE to the Parliamentary Secretary to the Minister for Sport and Recreation:
- (1) In relation to all real estate (land and buildings) sold within the Minister's portfolio in the 1995-96 and 1996-97 financial years -
    - (a) where was the real estate situated (giving the actual address of the land and building);
    - (b) for what amount was the real estate sold;
    - (c) when, if ever, was the most recent valuation of the real estate conducted; and
    - (d) what was the value of the real estate according to the valuation?
  - (2) What real estate within the Minister's portfolio is currently for sale or in the process of being sold?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following reply -

- (1) No real estate vested in the Recreation Camps and Reserves Board has been sold in the 1995/96 or 1996/97 financial years. There is no real estate vested in the Ministry of Sport and Recreation.
- (2) There is no real estate vested in the Recreation Camps and Reserves Board that is currently for sale or in the process of being sold.

#### NORTHBRIDGE TUNNEL - SOIL CONTAMINATION

167. Mr BROWN to the Minister for the Environment:
- (1) Is the soil being (or already) removed to make way for the Northbridge tunnel contaminated in any way?
  - (2) Have any tests been carried out on the soil to determine if the soil is contaminated?
  - (3) What tests have been carried out?
  - (4) In what way is the soil contaminated?

- (5) Where is the soil being removed from the Northbridge tunnel being dumped?
- (6) What is the likely environmental effect on the area where the soil is being dumped?

Mrs EDWARDES replied:

- (1) Some of the soil that has been removed to make way for the Northbridge tunnel was contaminated. It is likely that further contaminated soil will be encountered as excavations continue.
- (2) Yes.
- (3) Soil is analysed for chemical contaminants, including heavy metals and organic compounds, including hydrocarbons.
- (4) The main soil contamination has been with heavy metals, although some contamination with hydrocarbons has been found.
- (5) The majority of the material has been disposed of at the Red Hill disposal site. Other contaminated material is still being stored in a dedicated area adjacent to the western portal of the tunnel awaiting disposal.
- (6) The areas where disposal of the soil will take place are designed to ensure that no unacceptable environmental impacts occur.

#### NORTHBRIDGE TUNNEL - GROUND WATER CONTAMINATION

169. Mr BROWN to the Minister for the Environment:

- (1) Is ground water being drained to facilitate the construction of the Northbridge tunnel?
- (2) Have any tests been carried out to determine if the ground water is contaminated?
- (3) What tests have been carried out?
- (4) What do the tests reveal?
- (5) Is the ground water being pumped or drained into the Swan River?

Mrs EDWARDES replied:

- (1) Dewatering processes are carried out on a progressive basis where excavation is beneath the water table.
- (2) Yes.
- (3) Water quality monitoring consists of three components:
- Preliminary water quality assessment from existing bores, wells or open excavation;
  - Baseline water quality from drawdown monitoring piezometers; and
  - Operational water quality assessments.

Water quality acceptance criteria are in accordance with advice from the Swan River Trust.

- (4) Tests have revealed that contaminated water is present in a localised area. This water is being treated.
- (5) Contaminated ground water is pumped into holding cells and treated. Treated water is then drained into a basin which serves the Swan River. The Water and Rivers Commission and the Department of Environmental Protection are providing advice regarding the treatment and monitoring process.

#### LAND - BOTANICAL GARDENS

##### *Establishment - Government Support*

173. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Is the Minister aware of an article that appeared in *The West Australian* newspaper on 1 February 1997 concerning the possibility of the Government supporting the establishment of a botanical garden suitable for tourism, nature preservation and teaching horticulture?
- (2) Has the Government considered the proposal?
- (3) If so, does the Government intend to support it financially or otherwise?
- (4) In what way will the Government support the proposal?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) Yes.
- (2) This issue does not come directly under the tourism portfolio. The proposal would be considered by the Department of Land Administration and the Western Australian Tourism Commission would have input into the consideration. I have asked the WATC to keep abreast of the proposal and to be involved in any assessments.
- (3) At this point in time it is too early to comment on this.
- (4) Yet to be determined. The Department of Land Administration would liaise with the Western Australian Tourism Commission.

#### TOURISM - CAPE RANGE PENINSULA RESORT

##### *Electorate of Ningaloo*

174. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Is the Minister aware of an article that appeared in *The West Australian* newspaper on 1 February 1997 concerning a tourist developer complaining to the Ombudsman over the State Government's handling of a \$50m resort proposed for the west coast of Cape Range peninsula?
- (2) Is the Minister aware the newspaper article refers to claims by a Mr Reidy-Crofts' that the Government did an about face on supporting the proposal in October 1996 when an adviser to the Minister told him that the Government did not want a row about the development in the marginal seat of Ningaloo with an election looming?
- (3) Did the Minister have one or more advisers in October 1996?
- (4) Did any of the Minister's advisers say to Mr Reidy-Crofts that the Government did not want to row about the development in the marginal seat of Ningaloo with an election looming or words to that effect?
- (5) Is it true, as claimed by Mr Reidy-Crofts, that the Minister supported the concept proposed by Mr Reidy-Crofts and promised to seek Cabinet approval for the necessary licence for the study?
- (6) If not, what -
  - (a) support; and
  - (b) undertakings,
 were given to Mr Reidy-Crofts by the Minister?
- (7) Did the Minister refer the concept or proposal to Cabinet for approval?
- (8) Did Cabinet consider the matter at any stage?
- (9) When was it considered by Cabinet?
- (10) Did the Minister request the concept or proposal be discussed in Cabinet?
- (11) If not, why not?
- (12) Did any of the Minister's advisers inform or infer to Mr Reidy-Crofts that the concept or proposal had not been discussed in Cabinet because LandCorp was concerned the project would damage the Exmouth marina-resort prospects?
- (13) Is it true the Minister decided to delay consideration of the concept/proposal for purely political purposes because of the then impending State election?
- (14) If not, why was a consideration of the concept/proposal delayed?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1)-(2) Yes.

- (3) One Tourism Policy Officer.
- (4) The Policy Officer has no recollection of using these words.
- (5) I supported the proposal to have Mr Reidy-Crofts submission considered by the appropriate Government agencies with a view to seeking Cabinet's endorsement of a strategy with respect to a potential development on the west coast of North West Cape.
- (6) Not applicable.
- (7)-(8) No.
- (9)-(11) Not applicable.
- (12) The Policy Officer informed Mr Reidy-Crofts that the decision relating to the proposed Exmouth Marina resort complex would potentially affect decisions Cabinet might make on a west coast development.
- (13) No.
- (14) There is no reason why Mr Reidy-Crofts' proposal cannot be further considered.

TOURISM - TOURISTS

*Statistics*

176. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) How many -
  - (a) interstate; and
  - (b) overseas,
 tourists visited Western Australia in each of the last four financial years?
- (2) Has the Government done any projections on the number of tourists that will visit Western Australia in the next five financial years?
- (3) How many -
  - (a) interstate; and
  - (b) overseas,
 tourists does the Government estimate will visit Western Australia in each of the next five financial years?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

(1)	(a)	Interstate	(b)	Overseas
		1992/93	332,000	380,000
		1993/94	366,000	441,000
		1994/95	568,000*	496,000
		1995/96	594,000	515,000
	Sources	Domestic Tourism Monitor (BTR)		International Visitor Survey (BTR); Australian Bureau of Statistics; US Navy

\* NB: A break in time-series occurred in this year as the BTR change consultants collecting the data.

- (2) The Tourism Forecasting Council of Australia does project visitor targets for Australia and its forecasts are attached. The Western Australian Tourism Commission does, in conjunction with the industry, establish targets (not projections). These targets are based on current trends reviewed biannually in respect to changing conditions within the industry worldwide. Currently, the Commission is focusing on visitor expenditure rather than visitor numbers as yield and economic impact are central factors in achieving benefits for the state as opposed to just visitor numbers.

In 1995/96, industry targets were produced to the year 2000. These targets are currently under review and will include a shift to exclude "business traffic" so that the targets are more reflective of the tourism industry's impact. It should be noted that while the government plays a role in attracting visitors to Western Australia, it cannot do this alone and relies heavily on the partnership with the tourism industry. Hence the targets are whole of industry targets, not government targets.

(3) Targets for 1995/96 and 1996/97 are as follows:

	1995/96	1996/97
International	573,700 (people)	683,000 (people)
Interstate	687,000 (people)	749,000 (people)
Intrastate	4,237,000 (trips)	4,406,000 (trips)

Targets for 1997/1998 and 1999/2000 are currently being reviewed.

#### TOURISM - WA TOURIST COMMISSION

##### *Airline Service - Broome-Bali*

189. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Has the Western Australian Tourism Commission entered into discussion with any airline company to replace the National Jet Bali service through Broome?
- (2) What airline companies have been approached?
- (3) Has any agreement been reached to replace the service?
- (4) Has the Western Australian Government offered any incentive or inducement to any airline to replace the service?
- (5) What incentive has been offered?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) Yes. The Western Australian Tourism Commission has held discussions with other airlines and charter operations over the Broome service.
- (2) Singapore Airlines, Silk Air, Asia Air, National Jet, Qantas, Ansett.
- (3) Not to date.
- (4) The WATC made considerable efforts to support the previous operator of the route, National Jet. The attachment outlines the marketing support offered. The WATC has had discussions with potential airline operators in conjunction with the Kimberley Tourism Association and Kimberley tourism businesses on the basis that the WATC will continue to provide such support. The WATC has policy not to underwrite airline services, but rather to provide marketing support through cooperative advertising campaigns, the media and trade awareness programs, sales missions, road shows and retail training programs.
- (5) On several occasions, the Tourism Commission has provided significant marketing support to raise consumer and trade awareness. Initiatives include familiarisation tours for trade and media representatives to entice Singapore's Manhunt TV programme to be produced on location.

#### TAXATION - FEDERAL

##### *Submission - Availability*

191. Mr BROWN to the Treasurer:

- (1) Has the State Government made a submission to the Federal Government on taxation reform?
- (2) When was the submission made?
- (3) Is a copy of the submission publicly available?
- (4) If not, why not?

Mr COURT replied:

- (1)-(2) The Government contributed to the Joint States and Territories' submission to the National Commission of Audit in May 1996. That submission referred to taxation reform. A recent Leaders' Forum has agreed to work up some tax reform options and we will co-operate with the other States and Territories in this regard.
- (3)-(4) A copy of the submission can be obtained through the Commonwealth Department of Finance.

#### POLLUTION - MOTOR VEHICLES

##### *Exhaust Emissions - Government Strategy*

299. Mr PENDAL to the Minister for the Environment:

- (1) To what extent does the Government acknowledge vehicle exhaust emissions are contributing to Perth's pollution?
- (2) What strategies are in place to deal with such problems?
- (3) When were such strategies last reviewed for their effectiveness?
- (4) Have health authorities expressed any views to Government on the levels of environmental pollution arising from vehicle exhaust emissions?
- (5) Does the Minister have an estimate on the number of offending vehicles on Perth roads?
- (6) Will the Minister consider initiating a new campaign aimed at combating the problem outlined?

Mrs EDWARDES replied:

- (1) The Perth Photochemical Smog Study report released last year showed that motor vehicles contribute an estimated:
  - (i) 51 % of all Nitrogen oxides, and
  - (ii) 44 % of all reactive organic compounds (commonly referred to as "hydrocarbons"),
 emitted into the Perth airshed.  
 The combination of nitrogen oxides and "hydrocarbons", in the presence of sunlight and warm temperatures causes elevated photochemical smog levels in summer.
- (2) The Perth Photochemical Smog study and Perth Haze Study reports was released last year. Up until then, the extent of photochemical smog and haze problems were not well understood. In response to the problems identified by these scientific studies, the Government has committed to the development and implementation of an Air Quality Management Plan (AQMP) for Perth. A Select Committee of Parliament will be established and extra resources are being provided to the Department of Environmental Protection for this purpose.  
 While the AQMP will provide the long term blueprint for managing air pollution including tackling the relationship between land use planning and polluting emissions, more immediate actions will include:
  - (i) the release of a public discussion paper which canvasses options for more direct and shorter term improvements to vehicle emissions,
  - (ii) the purchase by the DEP of motor vehicle emissions testing equipment, and
  - (iii) upgrading the present smoky vehicles reporting system.
- (3) Integral to the programs I have outlined above, will be effectiveness reviews which will be made possible by the increased human resources provided to the DEP and increased financial resources which will fund the purchase of motor vehicle emissions testing equipment.
- (4) No formal advice has been received from the Health Department.
- (5) Over 24,102 vehicles have been reported since July 1995.
- (6) As outlined in my answer to question 2, a number of integrated campaigns are being planned for initiation in the second half of this year.

## FORESTS AND FORESTRY - ROYALTIES

*Timber*

311. Dr EDWARDS to the Minister for the Environment:

- (1) Will the Minister table the report on timber royalties, commissioned in 1996?
- (2) If not, why not?

Mrs EDWARDES replied:

- (1) The report was tabled as part of my statement to the House on 1 May 1997.
- (2) Not applicable.

## STATE SETTLEMENT PLAN - STRATEGIES

*Minister for Mines*

387. Ms WARNOCK to the Minister representing the Minister for Mines:

- (1) What are the objectives of the Minister's department's state settlement plan?
- (2) What -
  - (a) internal; and
  - (b) external,
 access strategies have been developed and implemented?
- (3) What -
  - (a) financial; and
  - (b) human,
 resources have been allocated to implement the state settlement plan?
- (4) What consultation process has been undertaken by the Minister's department?
- (5) Who from the -
  - (a) community;
  - (b) business sector; and
  - (c) academic sector,
 has been consulted?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

- (1) The aim of the Western Australian State Settlement Plan is that migrants are able to participate fully as soon as possible in the community through the provision of necessary settlement services for the community to reap the economic and social benefits of the immigration program.
- (2) As part of the continuing evaluation and review of the Plan, a range of internal and external access strategies has been developed and implemented appropriate to the agency delivering the service. These include:
  - (a) Internal Strategies:  
Collection of ethnicity data  
Cross-cultural training including Interpreter and Translator Awareness  
Consultative mechanisms
  - (b) External Strategies:  
Language Services Policy  
Provision of information to the community  
Use of ethnic media
- (3)
  - (a) Agencies allocate resources for services to migrants as part of their annual budget planning process.
  - (b) Each government agency represented on the State Settlement Planning Committee has allocated an officer with responsibility for State settlement planning issues.

- (4) The ethnic community is represented on the State Settlement Planning Committee and wider agency-specific consultations are undertaken by agency working parties to establish issues, and evaluate the strategies developed to address those issues.
- (5) (a) Ethnic Communities Council Inc.  
Migrant Resource Centres  
Non-government service providers  
Migrant clients  
Migrant Women's Interests Committee  
Western Australian Council of Social Services
- (b) Not applicable.
- (c) Edith Cowan University  
Research related agencies: Bureau of Immigration, Multicultural and Population Research  
Australian Bureau of Statistics

STATE SETTLEMENT PLAN - STRATEGIES

*Minister for Tourism*

391. Ms WARNOCK to the Parliamentary Secretary to the Minister for Tourism:

- (1) What are the objectives of the Minister's department's state settlement plan?
- (2) What -
- (a) internal; and  
(b) external,
- access strategies have been developed and implemented?
- (3) What -
- (a) financial; and  
(b) human,
- resources have been allocated to implement the state settlement plan?
- (4) What consultation process has been undertaken by the Minister's department?
- (5) Who from the -
- (a) community;  
(b) business sector; and  
(c) academic sector,
- has been consulted?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) The aim of the Western Australian State Settlement Plan is that migrants are able to participate fully as soon as possible in the community through the provision of necessary settlement services for the community to reap the economic and social benefits of the immigration program.
- (2) As part of the continuing evaluation and review of the Plan, a range of internal and external access strategies has been developed and implemented appropriate to the agency delivering the service. These include:
- (a) Internal Strategies:  
Collection of ethnicity data  
Cross-cultural training including Interpreter and Translator Awareness  
Consultative mechanisms
- (b) External Strategies:  
Language Services Policy  
Provision of information to the community  
Use of ethnic media
- (3) (a) Agencies allocate resources for services to migrants as part of their annual budget planning process.



- (b) Each government agency represented on the State Settlement Planning Committee has allocated an officer with responsibility for state settlement planning issues.
- (4) The ethnic community is represented on the State Settlement Planning Committee and wider agency-specific consultations are undertaken by agency working parties to establish issues, and evaluate the strategies developed to address those issues.
- (5) (a) Ethnic Communities Council Inc.  
Migrant Resource Centres  
Non-government service providers  
Migrant clients  
Migrant Women's Interests Committee  
Western Australian Council of Social Services
- (b) Not applicable.
- (c) Edith Cowan University  
Research related agencies: Bureau of Immigration, Multicultural and Population Research  
Australian Bureau of Statistics

#### STATE SETTLEMENT PLAN - STRATEGIES

##### *Minister for Sport and Recreation*

393. Ms WARNOCK to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) What are the objectives of the Minister's department's state settlement plan?
- (2) What -
  - (a) internal; and
  - (b) external,
 access strategies have been developed and implemented?
- (3) What -
  - (a) financial; and
  - (b) human,
 resources have been allocated to implement the state settlement plan?
- (4) What consultation process has been undertaken by the Minister's department?
- (5) Who from the -
  - (a) community;
  - (b) business sector; and
  - (c) academic sector,
 has been consulted?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following reply -

- (1) The aim of the Western Australian State Settlement Plan is that migrants are able to participate fully as soon as possible in the community through the provision of necessary settlement services for the community to reap the economic and social benefits of the immigration program.
- (2) As part of the continuing evaluation and review of the Plan, a range of internal and external access strategies has been developed and implemented appropriate to the agency delivering the service. These include:
  - (a) Internal Strategies:  
Collection of ethnicity data  
Cross-cultural training including Interpreter and Translator Awareness  
Consultative mechanisms
  - (b) External Strategies:  
Language Services Policy  
Provision of information to the community  
Use of ethnic media

- (3) (a) Agencies allocate resources for services to migrants as part of their annual budget planning process.
- (b) Each government agency represented on the State Settlement Planning Committee has allocated an officer with responsibility for State settlement planning issues.
- (4) The ethnic community is represented on the State Settlement Planning Committee and wider agency-specific consultations are undertaken by agency working parties to establish issues, and evaluate the strategies developed to address those issues.
- (5) (a) Ethnic Communities Council Inc.  
Migrant Resource Centres  
Non-government service providers  
Migrant clients  
Migrant Women's Interests Committee  
Western Australian Council of Social Services
- (b) Not applicable.
- (c) Edith Cowan University  
Research related agencies: Bureau of Immigration, Multicultural and Population Research  
Australian Bureau of Statistics

### SHARK BAY - OIL EXPLORATION LICENCE

#### *World Heritage Listed Areas*

459. Dr EDWARDS to the Minister representing the Minister for Mines:

- (1) I refer to the granting of an exploration licence in the Shark Bay World Heritage listed area by the previous Minister for Mines and ask what exactly does an exploration licence allow the licensee to do, and what is its purpose?
- (2) Can the Minister confirm the comments of the Director of the Department of Minerals and Energy Petroleum Operations Division that applications for production licences are rarely rejected?
- (3) How does the Minister reconcile the granting of the exploration licence with World Heritage listing?
- (4) How many mineral exploration and oil drilling licences or leases and exploration licences have been granted in the World Heritage listed area?
- (5) What area is covered by these, both in square kilometres and percentage of the World Heritage listed area?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

- (1) An exploration permit granted under the Petroleum Act provides the permit holder with the exclusive right to carry out an exploration program within the permit area. Each and every exploration activity of the exploration program requires separate approval which is only given after due consideration by environmental agencies. The purpose of an exploration permit is to allow orderly and responsible exploration to be undertaken.
- (2) Yes, the comments of the Director of the Petroleum Operations Division are confirmed. By way of explanation, the holder of an exploration permit who makes a discovery is entitled to exploit that discovery, but only after a development plan has also been approved. The development plan must include an environmental impact assessment which is subjected to the requirements of the Environmental Protection Act. Production licences are rarely rejected because the development plan is the result of extensive negotiations and the production proposal is specifically designed to satisfy environmental concerns.
- (3) Refer to answer (1) above. Exploration can only be undertaken following separate approval given subsequent to the grant of the title.
- (4) Parts of three petroleum exploration permits extend into the Shark Bay World Heritage Area and one mineral exploration licence exists within it.
- (5) The petroleum exploration and mineral licences total 19,081 sq km and some 3,836 sq km of those titles extend into the Shark Bay World Heritage Area, which amounts to 16.5% of that area.

## MINING - EXEMPTIONS

462. Dr EDWARDS to the Minister representing the Minister for Mines:

What circumstances are necessary or sufficient before an area is automatically exempt from being subject to the possibility of oil and gas drilling?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

Drilling proposals are subject to environmental impact assessment and will only be approved if it can be demonstrated that the integrity of an area will be safeguarded.

## WATER RESOURCES - LICENCE 4247

*Monitoring*

479. Dr EDWARDS to the Minister for the Environment:

With reference to water pollution control conditions and ground water sampling and analysis required in the Department of Environmental Protection Licence 4247-

- (a) what are the guidelines against which samples are compared;
- (b) have any samples revealed results above guidelines; and
- (c) if yes, what is the site and date of these samples?

Mrs EDWARDES replied:

- (a) The report received for licence #4247 compared sample results against guidelines for raw waters for drinking purposes documented in the Australian and New Zealand Environmental Conservation Council (ANZECC) Australian Water Quality Guidelines for Fresh and Marine Waters, November 1992, and the recently revised drinking water guideline value for arsenic.
- (b) Yes.
- (c) The site and date of the samples which revealed results above guidelines are detailed as follows:

Sample Location	Parameter	Quarterly Sample
Bore No. 1	pH	Feb'96, April'96, June'96, Oct'96
	Iron	Feb'96, April'96, June'96, Oct'96
	Arsenic	Feb'96, June'96
Bore No. 2	pH	Feb'96, April'96, June'96, Oct'96
	TDS	Oct'96
	Iron	June'96, Oct'96
	Chloride	Feb'96, April'96, June'96, Oct'96
	Arsenic	Feb'96, June'96
Bore No. 3	pH	Feb'96
	TDS	Feb'96, April'96, June'96, Oct'96
	Sodium	Feb'96, April'96, June'96, Oct'96
	Chloride	Feb'96, April'96, June'96, Oct'96
	Arsenic	Feb'96, April'96, June'96, Oct'96
Bore No. 4	pH	Feb'96, April'96, June'96, Oct'96
	TDS	Feb'96, April'96, June'96, Oct'96
	Iron	Feb'96, April'96, June'96, Oct'96
	Sodium	Feb'96, April'96, June'96, Oct'96
	Chloride	Feb'96, April'96, June'96, Oct'96
	Arsenic	Feb'96, June'96, Oct'96
South Hampton	pH	Feb'96
Tantalum Plant Tailings Dam	TDS	May'96, July'96
	Arsenic	July'96

PARKS AND RESERVES - NATIONAL

*Yanchep Inn*

482. Dr EDWARDS to the Minister for the Environment:

Further to question on notice No 2037 of 1996, will the Minister table a copy of the conservation plan for the Yanchep Inn?

**The answer was tabled.** [See paper No 424.]

PORTS AND HARBOURS - FREMANTLE

*Passenger Terminal - Upgrade*

591. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Does the State Government intend to take any initiative to try and have the Fremantle Port Passenger Terminal upgraded and improved in any way?
- (2) What initiative does the Government intend to take?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) The Western Australian Tourism Commission regularly consults with the Fremantle Port Authority on tourism aspects of the Fremantle Port Passenger Terminal. However, as the Authority is within the portfolio of the Minister for Transport, this question should be referred to him.
- (2) Not applicable.

TOURISM - FREMANTLE

*Facilities and Resources*

593. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Over the last 10 years has Fremantle emerged as one of the State's major tourist centres?
- (2) Has the tourist industry, or elements of it, expressed concern that there are insufficient local resources to address the local Fremantle community and tourist industry?
- (3) What steps does the Government intend to take to work with the local community and authorities to improve -
  - (a) parking;
  - (b) public transport?
- (4) Does the Government intend to establish a tourist information centre in Fremantle or work towards the establishment of such a centre in Fremantle?
- (5) What initiatives does the Government intend to take in this regard?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) Since the America's Cup in 1987, tourist visitor numbers to Fremantle have continued to grow at a steady pace. In 1995/96, an estimate of 77,000 visitors stayed overnight at Fremantle (source: WATS 1995/96). Fremantle continues to be a popular day-tripper destination amongst Western Australians and tourists.
- (2) In 1996, the Fremantle Tourism Association was launched with financial support from the City of Fremantle, the tourism industry, the Western Australian Tourism Commission (WATC) and a number of other sponsors. Under a contractual arrangement with the Fremantle Tourism Association, a total of \$45,000 is available on a fee-for-service basis. Of this amount, \$10,000 will be allocated to the production of a dedicated brochure on Fremantle, \$15,000 will be allocated to the collection and on-going updating of information about Fremantle for a centralised product information database, and \$20,000 for the development of projects designed to enhance the visitor's experience to Fremantle.

Many new initiatives are also in the planning phase as a result of this effective partnership and by all reports, the Association is very pleased with this new association. As with any tourism region, the industry has a number of issues which need addressing. The WATC has a very good relationship with the Fremantle Tourism Association and is working on these issues.

- (3) Parking issues and public transport do not fall within the tourism portfolio. Questions should be referred to the Minister for Local Government and the Minister for Transport respectively.
- (4) The WATC operates the Perth Tourist Centre in Forrest Place to service the tourist information needs for the Perth metropolitan area. Due to the enormous increase in demand for this service, the WATC has been addressing the issue of visitor servicing in the Fremantle area. The Fremantle Tourism Association, WATC and Fremantle City Council are in the process of exploring several options.
- (5) In addition to working with the FTA on this issue, the WATC will also be developing a statewide database of tourism product. The information contained within this database will be utilised by both tour operators and the general public. Tourist Information Centres will be able to make this information available electronically to visitors, either in the tourist information centre or via interactive remote terminals. Long term, the WATC considers this strategy to be the key way to service the ever increasing demand for visitor servicing.

#### INTERNATIONAL CONVENTION CENTRE - ESTABLISHMENT

##### *Economic Benefits*

594. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Is the Minister aware of the worth of the meetings, incentives, convention and exhibition industry in Australia?
- (2) Is it true that Western Australia enjoys a meagre share of this lucrative international convention centre component of this market?
- (3) Has the Government examined the economic benefit that can be derived from a successful dedicated convention exhibition centre?
- (4) If not, why not?
- (5) Will the Government examine the economic benefits that can be derived for the State by the establishment of such a centre?
- (6) If so, when?
- (7) What initiatives does the Government intend to take to see such a centre is established?
- (8) When will those initiatives be taken?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) The Australian Tourist Commission estimates the meetings, incentives, convention and exhibition industry is worth at least \$3 billion annually to the Australian economy and as such is one of the four primary marketing Divisions of the WATC.
- (2) It is not true that Western Australia enjoys a meagre share of this lucrative market. In fact, the Association of Australian Convention Bureaux found that this State enjoys a 13.4% national market share of meetings business. This excellent share is the result of the WATC's concentrated effort in this sector in recent times. These incentive travel market results are even more impressive with the Bureau of Tourism Research recently reporting that WA enjoys a 26% national market share of this burgeoning market. This is largely attributable to the fact that the WATC was the first state to open a dedicated meeting and incentive office in South East Asia in 1995. Indeed, 18 months after the Commission led the way, Queensland, New South Wales and Victoria have all decided to follow suit and the WATC already has strategies in place to capitalise on its competitive edge in this area, including our ground breaking television commercials which will air in the region from later this year.
- (3) The WATC has already undertaken a feasibility study into the viability of a dedicated convention and exhibition centre for Perth. That study found that a centre would generate \$1.4 billion into the state's

economy over a decade. Importantly, the study also identified that the venue would require a capital investment of up to \$157 million and whilst it could operate at a profit, would not generate sufficient revenue to service its capital cost.

- (4) Not applicable.
- (5)-(6) Please refer to (3).
- (7)-(8) Further to the completion of the feasibility study, the Government has already developed design guidelines for the facility and discussions are ongoing with several parties to ascertain options for the development of the proposed centre.

#### TOURISM - WA TOURISM COMMISSION

##### *Regional Expenditure*

595. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Is the Minister aware of concerns that the Western Australian Tourism Commission applies an inadequate share of its funds for regional visitor service, marketing and promotion?
- (2) Is the Minister aware of concerns that the Western Australian Tourism Commission spends more on Rally Australia than it does on the whole of regional tourism?
- (3) Is the Minister aware that the Western Australian Tourism Commission's own figures maintain regional tourism generates over \$600m while Rally Australia generates \$17m?
- (4) What steps, if any, does the Minister intend to take to address this imbalance?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) I am aware that in the WATC's 1996/97 Strategy Plan, released to the industry in June 1996, it was outlined that the WATC had a very strong objective to focus on both Regional Tourism Associations incorporating Tourist Bureaus and the promotion of regional areas in the state's tourism marketing. This strategy has been reflected in the WATC financial allocations. Over the three years of 1996/97, 97/98 and 98/99, the WATC will be increasing funding to Regional Associations (incorporating Bureaux) by 35%. In 1996/97 the total amount will be \$1,276,587 rising to \$1,454,351 in 1998/99. It is important to note that this is only funding to the Associations and Bureaux not the amount of money the commission spends on promoting regional tourism destinations. In total, \$22.5 million will be spent on this function in 1996/97.

In broad terms, this money is allocated as follows:

1.	Event Promotion	\$6.2 million
2.	Convention and Incentive Promotion	\$1 million
3.	Promotion of Regional Areas	\$9.4 million
4.	Promotion of Metropolitan Areas	\$5.9 million

Hence, 42% of the WATC's monies allocated for Program Statement No.1 is spent on the promotion of regional areas. By way of example, it is worth noting that the entire Brand WA advertising campaign on the East Coast of Australia this year exclusively promoted regional areas. That is, the metropolitan area received no promotion. Similarly, the Brand WA campaign planned for the UK will only feature regional destinations. In this context, the Asian advertisements heavily feature metropolitan attention. These allocations are based on the ground breaking research the WATC undertook in 1996 as part of the Brand WA initiative. The particular features which are marketed are based on research.

The WATC has a second Program Statement No.2 to "promote, foster and facilitate investment in and the development of, new tourist facilities, services, product and the support of existing tourist facilities and services in WA". In 1996/97, \$4.1 million was allocated to this function and, in broad terms 75% of resources, or \$3 million was allocated to non-metropolitan activities, including regionally based Tourism Managers. I would also point out that the Government has made a substantial increase in this regional commitment for 1997/98. Initiatives include -

A \$6 million Regional Infrastructure Fund, over four years with \$1 million in 1997/98, will be established to provide matching funding on a dollar for dollar basis for the development of tourism infrastructure in consultation with regional bodies and industry.

A comprehensive state-of-the-art electronic Product and Information Database will be established utilising regional tourism organisations to link current and future electronic distribution systems. \$390,000 will be allocated in 1997/98, \$100,000 in 1998/99 and \$100,000 in 1999/2000. This electronic marketing initiative should create a competitive advantage for the Western Australian tourism industry and represent WA taking the leading edge in this new form of tourism marketing.

An amount of \$100,000 has been allocated in 1997/98 for the implementation of the Western Australian Nature Based Tourism Strategy. Most of the product affected in this area will be regionally based.

In summary, 5% of the WATC's budget goes directly to support the Regional Associations and Tourist Bureaux. 42% of the WATC's promotional allocation is spent on promoting regional areas and 75% of the Commission's Industry Development allocation is spent on regional areas.

- (2) As the Member would be aware, Rally Australia was established under the Labor Government of 1987 and has quite rightly been maintained by a succession of governments on the basis it brings economic benefits to the state of WA and has been a well recognised success in event tourism. For each year of its operation, the state has contributed approximately \$2 million of its almost \$5 million operating budget. Clearly the WATC spends significantly more on promoting regional areas of WA than on Rally Australia and this will be particularly true this year and in the next two years.
- (3) I am aware that \$600 million of the state's total visitor expenditure of \$2 billion is spent in regional areas. The generation of this expenditure is a very complex process involving efforts by the WATC, WA tourism operators, airlines, hotels, inbounds, wholesalers, the Australian Tourist Commission and many others. I think it would be inaccurate to say Regional Tourism Associations and Bureaux generate this expenditure although they do play an important role and hence the WATC has increased its support of these groups this year and in the years to come. The member is correct in his statement that on average Rally Australia has generated approximately \$17 million per annum economic benefit for a \$2 million investment. This is a direct cause/effect relationship and is in fact, very conservative in terms of its benefits, as the \$17 million does not take into account the many millions of dollars of value the state gets from the TV coverage which appears in some 56 countries throughout the world reaching an audience of 100 million.
- (4) The figures demonstrate that there is no imbalance.

#### TOURISM - WA TOURISM COMMISSION

##### *Tourist Bureaux - Role*

596. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) What role does the Government want the Tourist Bureau to play?
- (2) Does the Western Australian Tourism Commission intend to develop a considered policy approach to state visitor servicing, including the operation of the Perth Tourist Centre?
- (3) If not, why not?
- (4) If so, will such policy include lines of communication between the Tourist Bureau and the Commission, as well as other bodies, which represent regional tourism interest such as the Country Tourism Association and the Regional Travel Associations?
- (5) Will any such policy include plans for monitoring levels of visitor satisfaction and delineate clear guidelines with channels of assistance available to the Bureau?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following reply -

- (1) Tourist bureaux are an integral part of delivering the tourism experience to WA's visitors. Their primary roles are to undertake a visitor servicing function and to work cooperatively with the relevant regional tourism association and local government to ensure the needs of visitors are being met in their local area.
- (2) The WATC undertook a review of the Regional Tourism Associations and Tourist Bureaux strategies and funding in 1995 via the Regional Tourism Review Board. The Board consists of representatives from the WATC, The Country Tourism Association, local government, regional tourist bureaux and industry. Their recommendation to the WATC Commissioners was that the Regional Tourism Associations should become the focus of a region and a contractual agreement be entered into between the WATC and these

Associations. In this way, more regionally based decision making could be undertaken. The recommendation was accepted and is in the process of being implemented. To date five of the ten Associations are operating on the principle and the other five have indicated they will be in the 1997/98 year.

Under these arrangements, the RTA takes on the responsibility for visitor services and must demonstrate a strong cooperative relationship with all Tourist Bureaux in their region. In those regions which have moved into this regionally based system, the cooperation has been very good. It has also led to the reduction of duplication of some services between Tourist Bureaux and RTAs which previously occurred. This philosophy will be monitored over the ensuing 12 months to make any necessary adjustments to ensure the best possible visitor servicing is provided. The operation of the Perth Tourist Centre is under constant assessment both in regard to its performance and role within the WA tourism industry. In the past 12 months, it has increased its revenue generation by 35.6%, handled a 7% increase in walk-in traffic, a 55% increase in incoming telephone calls and has achieved customer satisfaction of 98%. In line with the WATC's "electronic distribution" strategy which is currently under development, the PTC's functions and roles will be addressed.

- (3) Not applicable.
- (4) As addressed in (2) the lines of communication have already been developed by the Regional Tourism Review Board such that the Regional Tourism Associations will be the key tourism bodies in their regions who in time will have strong partnership agreements with their constituent Tourist Bureaux. Similarly, the RTAs will have strong relationships with the WATC and a quarterly meeting of all RTAs will be implemented whereby collectively those representing regional tourism interest can decide on the direction of various marketing issues.
- (5) As each regional tourism association is contractually obligated to support an appropriate level of visitor servicing, the responsibility for monitoring visitor satisfaction will be undertaken by the Regional Tourism Associations. Prior to this new structure, there were no formal channels that could be pursued if there was concern with visitor satisfaction at a tourist bureau. As customer satisfaction is also an important element in the marketing equation, the WATS survey undertaken by the WATC provides the opportunity for visitors to feed back the best and the worst aspects of their visit to WA.

#### GOVERNMENT VEHICLES - LEASING

##### *Cost and Number*

623. Mr BROWN to the Minister representing the Minister for Mines:
- (1) How many vehicles does each department and agency under the Minister's control lease?
  - (2) What is the monthly amount each department and agency pays for leasing the vehicles?
  - (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?

Mr BARNETT replied:

The Minister for Mines has provided the following reply -

- (1) 156
- (2) The amount varies from month to month but averages \$34 000 per month.
- (3) \$25 868.91

#### GOVERNMENT VEHICLES - LEASING

##### *Cost and Number*

627. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:
- (1) How many vehicles does each department and agency under the Minister's control lease?
  - (2) What is the monthly amount each department and agency pays for leasing the vehicles?
  - (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?



Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) The Western Australian Tourism Commission's leased vehicle fleet consists of 37 vehicles.
- (2) The standard monthly lease fees are \$5,800. This amount varies from month to month due to the addition and disposal of vehicles affecting the associated invoicing.
- (3) The Matrix invoice of \$4,450 received in February was processed and paid in early March.

#### GOVERNMENT VEHICLES - LEASING

##### *Cost and Number*

629. Mr BROWN to the Parliamentary Secretary to the Minister for Sport and Recreation:

- (1) How many vehicles does each department and agency under the Minister's control lease?
- (2) What is the monthly amount each department and agency pays for leasing the vehicles?
- (3) What was the amount each department and agency paid for leasing the vehicles in February 1997?

Mr MARSHALL replied:

The Minister for Sport and Recreation has provided the following response:

- |     |                                     |         |
|-----|-------------------------------------|---------|
| (1) | Ministry of Sport and Recreation    | 32      |
|     | Recreation Camps and Reserves Board | 9       |
| (2) | MSR                                 | \$4,300 |
|     | RCRB                                | \$2,100 |
| (3) | MSR                                 | \$4,700 |
|     | RCRB                                | \$2,200 |

#### TOURISM - EVENTSCORP

##### *General Manager - Ms Linda Wayman*

631. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) When was Ms Linda Wayman appointed as General Manager of EventsCorp?
- (2) Was this appointment made from within the Public Service and, if so, what level is she currently being paid?
- (3) If Ms Wayman is on a contract, what is the nature of her contract?
- (4) Prior to her appointment as General Manager, where did Ms Wayman work?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) Linda Wayman was appointed General Manager of EventsCorp on 28 October, 1996.
- (2) The appointment was not made from within the WA Public Service. Rather, the position was advertised nationally and in WA.
- (3) Yes, Ms Wayman is on a three year contract with a two-year option subject to satisfactory performance, after which the position will be re-advertised. The government position is classified as Level 9.
- (4) Ms Wayman was a Senior Executive Service Level 1 (SES 1) with the Department of State Development with the Victorian Public Service before beginning this position.
- (5) She is a West Australian who began her career as a journalist with *The West Australian* newspaper. From 1986 to 1988 Ms Wayman worked for the Western Australian Government on various major projects including being based in the Ministerial Office organising the America's Cup. Ms Wayman was part of the management team which ran the America's Cup media centre and later wrote the report on the State Government's involvement in the event. Following this, Ms Wayman was Public Relations Director for the Bicentennial event - Around Australia Yacht Race - and as such has extensive major event experience.

## TOURISM - WORLD MINING AND ENERGY GAMES

*Funding*

633. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Has EventsCorp received a proposal for financial assistance to support a "mining and energy games" (or an event of a similar nature)?
- (2) If yes -
  - (a) how much funding was requested;
  - (b) was the submission successful?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) Yes.
- (2) Two applications have been received. An application in 1995 received \$125,000 whilst an application in 1997 for \$150,000 was unsuccessful.

## TOURISM - EVENTSCORP

*Funding - Auditing*

634. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

What auditing process is in place to audit the cost/benefit of EventsCorp funding?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

EventsCorp has performance indicators which appear in the WATC's Annual Report every year and which are audited by the Auditor General. One of EventsCorp's 8 performance measures is the cost/benefit ratio of the events managed in that year. In order to ascertain the economic benefits of a major event to the state, an independent research organisation is appointed to undertake the research to quantify this benefit.

## TOURISM - EVENTSCORP

*Board Members*

635. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Who are the members of the EventsCorp board and when were they appointed?
- (2) Do any of the members of the current board have a direct or indirect link with any of the bodies or organisations associated with events sponsored by EventsCorp?
- (3) Do any of the members of the current board have a direct or indirect financial interest with any of the bodies or organisations associated with events sponsored by EventsCorp?
- (4) Have any of the board members been involved in the preparation of an application (or submission) for funding from EventsCorp?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) The current members of the advisory board for EventsCorp as at 25 April 1997 and when appointed are:

Kevin Carton (chairman)	8 May 1995
Shane Crockett	2 May 1994
Michael Blakiston	10 October 1995
Garry Connelly	10 October 1995
Ray Turner	10 October 1995
Mike Rees	14 March 1994
Robyn Darben	5 November 1996
Linda Wayman	3 December 1996
Phillip Neck	3 February 1997
Hallam Pereira	18 April 1997

- (2)-(3) These questions are extremely vague but I advise that the following Board members have associations with events supported by EventsCorp as detailed.
- (a) Garry Connelly is a director of Garry Connelly Associates Pty Ltd which was contracted by the Western Australian Development Commission by agreement dated 29 September, 1988, to undertake the responsibility for the sporting aspects of Rally Australia. This was re-negotiated by contract dated 21 August, 1993 with the Western Australian Tourism Commission prior to his appointment to the EventsCorp Board in 1995. A further five year contract was signed in May 1996. This contract was presented directly to the WATC Board of Commissioners for approval, not the EventsCorp Board.
- (b) Michael Blakiston is a director of Camelia Holdings Pty Ltd which company is the owner of the Esplanade Hotel in Fremantle. The Esplanade Hotel has an agreement with the Western Australian Tourism Commission in relation to the provision of office and residential accommodation for the Fremantle stopover of the Whitbread Race.
- (4) I have been advised by the members of the Board that no private sector member of the Advisory Board has been involved in the preparation of an application for funding from EventsCorp. It should be noted that Advisory Board Members do not have any voting power under the terms of reference for the Advisory Board. As advised in the answer above, Mr Connelly is a member of the EventsCorp Board. Mr Connelly was part of a presentation regarding increased funding for Rally Australia made to the WATC Board of Commissioners last year, but was not part of any decision making process. WATC officers who are also on the EventsCorp Advisory Board are involved in submissions as part of their duties.

TOURISM - EVENTSCORP

*Funding - Windsurfing World Championships*

636. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Has EventsCorp received a proposal for financial support to stage the Windsurfing World Championships?
- (2) If yes -
- (a) how much funding was requested;
- (b) was the submission successful?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) No. The concept of the World Windsurfing Championships was an EventsCorp initiative and pursued by EventsCorp with the International Sailing Federation (ISAF). EventsCorp was successful in winning the bid with the ISAF against strong competition and subsequently received Cabinet approval to conduct the event with special funding of \$250,000.
- (2) Not applicable.

TOURISM - EVENTSCORP

*Funding - World Aerobics Event*

637. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) Has EventsCorp allocated any funding to assist in the staging of a World Aerobics event?
- (2) If yes -
- (a) what was the amount of money promised to the organisers;
- (b) how is this money to be paid to the organisers?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) Yes.
- (2) (a) The organisers have received a commitment of \$117,113 from EventsCorp and assistance in the form of office accommodation and services.

- (b) Make up of \$117,113 is estimated to be \$105,000 in cash and \$12,113 in services. This does not include office accommodation.

TOURISM - EVENTSCORP

*Staff - Rally Australia*

638. Mr BROWN to the Parliamentary Secretary to the Minister for Tourism:

- (1) How many staff are employed at EventsCorp?
- (2) Of these staff, how many are involved full time and part time on Rally Australia?
- (3) What is this in terms of "full time equivalent" spent on Rally Australia?
- (4) Apart from direct staff costs, what other expenditure does EventsCorp allocate for Rally Australia?

Mr BRADSHAW replied:

The Minister for Tourism has provided the following response:

- (1) EventsCorp has an allocation of 19 FTEs by the WATC. As at 17 April, EventsCorp had an estimated FTE level of 17. EventsCorp also employs a number of contractors and short-term staff to run events as required.
- (2) Of EventsCorp's allocation, eight staff work on Rally Australia.
- (3) Rally Australia has eight full-time staff devoted to the event. Other EventsCorp staff, with corporate responsibilities, such as the General Manager of EventsCorp, contribute as needed.
- (4) Like all events managed by EventsCorp, all costs associated with the conduct of Rally Australia are allocated to the Rally Australia accounts. This includes office space, telephone and associated staff costs etc.

POLLUTION - CONTAMINATED SITES

*Legislation*

665. Dr EDWARDS to the Minister for the Environment:

When will contaminated sites legislation be introduced into Parliament?

Mrs EDWARDES replied:

I anticipate that legislation addressing the issue of contaminated sites will be introduced into the spring session of Parliament following the circulation of a Department of Environmental Protection position paper.

POLLUTION - CONTAMINATED SITES

*Omex*

670. Dr EDWARDS to the Minister representing the Minister for Mines:

- (1) Did workers under instruction from the Department of Minerals and Energy recently remove or attempt to remove material from the Omex contaminated site at Bellevue?
- (2) If so, on what date did this action occur?
- (3) Why was it undertaken?
- (4) What was recovered?
- (5) Was the local government authority notified?
- (6) Who else attended and/or supervised this exercise?
- (7) What protective clothing and apparatus were used by the workers on this occasion?

Mr BARNETT replied:

The Minister for Mines has provided the following response:

- (1) Department of Minerals and Energy issued an instruction for the removal of underground tanks not in use at the service station adjacent to the Omex site.

- (2) The tanks were removed 17 and 18 March.
- (3) The tanks were no longer in use and regulations under the Explosives and Dangerous Goods Act require such tanks to be removed for safety reasons.
- (4) Three disused underground tanks and the associated pipe work were recovered.
- (5) No, however, the local authority is now aware of the situation. There are no obligations under the Explosives and Dangerous Goods Act 1961 for the local government authority to be notified and it is not customary to advise local government in such matters.
- (6) A Department of Environmental Protection officer attended during the excavation.
- (7) Workers used safety shoes and hard hats during the excavation. Hoses were used to suppress dust during the operation.

#### ENVIRONMENTAL PROTECTION AUTHORITY - ADVISORY COMMITTEE

##### *Structure*

697. Dr EDWARDS to the Minister for the Environment:

- (1) Is the Minister aware of the body known as the Advisory Committee to the Environmental Protection Authority?
- (2) Who are the members of the Committee and when do their terms of office expire?
- (3) What is the function of this Committee?
- (4) How frequently does the Committee meet and when was the last meeting held?

Mrs EDWARDES replied:

- (1) No. The member is probably referring to the advisory council to the Environmental Protection Authority.
- (2) Currently there are no committee members as the council has not been reconvened this year.
- (3) The council's function is to provide comment and advice to the EPA on any matters referred to it by the EPA.
- (4) Over the past three years the council has met approximately once a month. Its last meeting was held in December 1996.

#### PUBLIC SECTOR MANAGEMENT ACT - SECTION 105

##### *Guidelines*

725. Dr CONSTABLE to the Minister for Public Sector Management:

- (1) Have any guidelines been prepared in relation to the application of section 105 of the Public Sector Management Act 1994?
- (2) If yes to (1) above -
  - (a) who prepared the guidelines;
  - (b) when were the guidelines prepared; and
  - (c) where may the guidelines be inspected?
- (3) If no to (1) above, why not?

Mr COURT replied:

- (1)-(3) On 24 August 1995 a Circular to Ministers 23/95 was issued which highlighted those provisions of the Public Sector Management Act 1994 which place restrictions on involvement by Ministers and their staff in matters of public sector communication and employment, namely sections 8, 74 and 105. A request was made that the contents of the circular be brought to the attention of all CEOs - and other employing authorities - within each portfolio. While no formal guidelines have been issued, ministerial offices were circularised advice on 18 October 1995 advising of restrictions applying under section 105 of the Public Sector Management Act. The circular was issued by the Chief Executive, Office of State Administration, Ministry of the Premier and Cabinet. This matter may be further considered in light of any relevant

recommendation emanating from the Government's assessment of the Public Sector Management Act review undertaken by Commissioner Fielding.

GOVERNMENT INSTRUMENTALITIES - MEMBERS

*Appointment and Remuneration*

731. Dr CONSTABLE to the Minister for Employment and Training:

- (1) Who are the current members of the following -
  - (a) State Training Board;
  - (b) Training Accreditation Council;
  - (c) Building and Construction Industry Training Fund Board;
  - (d) Hairdressers Registration Board?
- (2) When was each member appointed and for what period of time?
- (3) How much remuneration is each member paid?
- (4) When does the Minister expect the Boards of the 10 TAFE Colleges, listed in her answer to question on notice 30 of 1997, to be appointed?

Mrs EDWARDES replied:

- (1)-(2) (a) State Training Board: The following members were appointed on 1 January 1997 for a period as outlined below -
 

Harry Sorensen (Chair)	3 years
Peter Eggleston	3 years
Brian Hewitt	2 years
Jennifer Ballantyne	2 years
Diana Mitchell	3 years
Shirley Thorn	1 year
John Sharp-Collett	1 year
- (b) Training Accreditation Council: The following members were appointed on 1 January 1997 for a period of three years -
 

Harvey McLeod (Chair)  
Tom Lyons  
Ruth Scourfield  
Ann Ghisalberti  
Roger Lethbridge  
Andrew Carter  
Diana Blackie
- (c) Building and Construction Industry Training Fund Board: The following members have been appointed on 17 March 1997 for a period ending on 31 December 1997 -
 

Marlie Wallace (Presiding Member)  
Harvey McLeod  
Colin Saunders  
Kim Young  
Barry O'Brien  
David Oliver  
Bernie Ryan  
John Dastlik  
Michael Sabatino
- (d) Hairdressers Registration Board: The following members have been appointed for a 12 month period ending on 31 December 1997 -
 

Ralph Dawson (Chair)  
Giovanni Caminiti  
Leslie Marshall  
Michael Levissianos  
David Genovese

- (3) Remuneration paid -
- (a) State Training Board: Chair - \$30 000 per year; members - \$6 800 per year.
  - (b) Training Accreditation Council: Chair - \$22 500 per year; members - \$6 800 per year.
  - (c) Building and Construction Industry Training Fund Board: Presiding Member - \$4 900 per year; members - nil.
  - (d) Hairdressers Registration Board: The Chair is paid \$97 per meeting, however as the Chair is a public servant, this money is paid into the consolidated fund. The members receive \$73 per meeting.
- (4) The nominations for membership are currently being finalised, and appointments are expected to be made shortly.

DEPARTMENT OF ENVIRONMENTAL PROTECTION - COMPLIANCE CERTIFICATE

751. Dr EDWARDS to the Minister for the Environment:

- (1) Will the Minister table a copy of the compliance certificate required by the Department of Environmental Protection (DEP) as condition 62 of Works Approval Number 1173 issued on 30 November 1994?
- (2) If not, why not?
- (3) When was the certificate forwarded to the DEP?

Mrs EDWARDES replied:

- (1) Yes. See paper No 425.
- (2) Not applicable.
- (3) 4 March 1996 - by facsimile.

MINING - GWALIA CONSOLIDATED LTD, GREENBUSHES

*Water Quality*

754. Dr EDWARDS to the Minister representing the Minister for Mines:

- (1) With respect to the licence issued to Gwalia Consolidated Ltd for mining at Greenbushes and condition 24 when was water delivered to the Dumpling Creek Dam?
- (2) Is this water sampled monthly?
- (3) Who performs the analysis?
- (4) On what occasions has it not conformed with the current criteria for drinking water?

Mr BARNETT replied:

The Minister for Mines has provided the following response -

- (1) Gwalia Consolidated Ltd has not been issued with any licence at Greenbushes from my department. I believe that the company has been issued with a licence by the Department of Environmental Protection.
- (2)-(4) Not applicable.

MINING - GWALIA CONSOLIDATED LTD, GREENBUSHES

*Water Quality*

755. Dr EDWARDS to the Minister representing the Minister for Mines:

- (1) With respect to the licence issued to Gwalia Consolidated Ltd for mining at Greenbushes and condition 25, have arrangements ever been made for -
  - (a) treatment of the water;
  - (b) supply to be drawn from another source?
- (2) If yes to (a) or (b) above, what were the arrangements?

Mr BARNETT replied:

The Minister for Mines has provided the following response -

- (1) Gwalia Consolidated Ltd has not been issued with any licence at Greenbushes from my department. I believe that the company has been issued with a licence by the Department of Environmental Protection. Gwalia Consolidated Ltd does hold a number of mining leases in the Greenbushes area. Each of these leases has its own conditions and the identity of the lease in question will be needed in order to respond to the member's question.
- (2) Not applicable.

#### DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES - RESPONSIBILITIES

##### *Changes*

798. Ms ANWYL to the Minister for Family and Children's Services:

- (1) Are there any plans to alter the responsibilities of the Department of Family and Children's Services?
- (2) Are there any plans to remove responsibility for child care from the portfolio?
- (3) Will responsibility for the Drug Task Force remain within the portfolio?

Mrs PARKER replied:

- (1)-(2) No.
- (3) Yes.

#### DEPARTMENT OF FAMILY AND CHILDREN'S SERVICES - PROGRAMS

##### *Funding and Objectives*

799. Ms ANWYL to the Minister for Family and Children's Services:

- (1) I refer to the New Directions program and ask -
  - (a) when was it implemented;
  - (b) what are its priorities and objectives;
  - (c) what performance indicators have been established?
- (2) Is the Minister aware of the Social Advantage package (introduced by the last State ALP Government)?
- (3) Was the Department for Community Services involved in the Social Advantage package or program?
- (4) What were the main objectives of the Social Advantage program?
- (5) What portion of the current budget of the Department for Family and Children's Services (FCS) is spent on child protection?
- (6) What estimated percentage of human resources, within FCS, is spent on child protection?
- (7) What involvement did Aboriginal people have with the best start program?
- (8) What are the names of the Aboriginal people concerned?

Mrs PARKER replied:

- (1) (a) It was implemented on a statewide basis on 1 May 1996.
- (b) The priorities and objectives are; to ensure a system of quality response to referrals which
  - differentiates concerns about children and families from allegations of child maltreatment
  - places a strong emphasis on the provision of supportive and empowering services to families experiencing difficulties, particularly where these are likely to have an impact on the wellbeing of the children



- has a clear focus on child protection
  - improves the provision of "child in family" services to situations of concerns or maltreatment while continuing to hold as paramount the safety of the child.
- (c) The following performance indicators are identified in the 1995/96 Annual Report of the Department of Family and Children's Services.
- (i) Percentage of resubstantiated maltreatment
  - (ii) Improvement in functioning or emotional wellbeing of children and their families
  - (iii) Change in behaviour/cognition of the people responsible for the maltreatment
  - (iv) Rate that children are able to stay at home or return home following intensive family services
  - (v) Percentage of children placed in family or foster care with extended family members
  - (vi) Percentage of children who had a goal of family reunification and who returned home
  - (vii) Maintenance of links of children in care to family members or others significant to them
  - (viii) Stability of placements of children in care
  - (ix) Cultural social and physical appropriateness of care
  - (x) Three efficiency indicators have been identified. These are
    - (a) The cost per investigation
    - (b) The cost of providing quality placements and supports per child
    - (c) Meeting investigation time frames.
- (2)-(4) I have been advised that a document entitled 'Social Advantage' was released by the then Premier in May 1992 and that the objectives of the package are not explicit in the document.
- (5) This is sourced from the 1995/96 Annual Report and is:
- |                                 |               |
|---------------------------------|---------------|
| Total appropriations            | \$121,733,173 |
| Protection and Care of Children | \$45,942,855  |
- This is approximately 38% of the grand total of appropriations.
- (6) This is sourced through the 1995/96 Annual Report of the Department of Family and Children's Services. The total salaries component for 1995/96 for both programmes was \$45 million. Of this the salaries component for the Protection and Care of Children Program was almost \$21 million.
- (7) Aboriginal people are involved in all aspects of the development and implementation of the Best Start program. Specific services and outcomes for each Best Start project are developed by members of the local Aboriginal community, with the assistance of local officers of the Departments of Health, Education and Family and Children's Services. Local Aboriginal people are involved directly in the provision of these services. Aboriginal staff of the three departments are also closely involved in the development of the projects and the Aboriginal Affairs Department is represented on the steering group.
- (8) It is not possible to provide the names of the many Aboriginal people involved in the development and delivery of each Best Start project.

#### FORESTS AND FORESTRY - JARRAH AND MARRI

##### *South West - Natural Balance*

810. Mr MASTERS to the Minister for the Environment:
- (1) How has the balance of jarrah (*Eucalyptus marginata*) and marri (*Eucalyptus calophylla*), in our south west State forests, changed since European colonisation commenced in Western Australia?
  - (2) What plans is the Department of Conservation and Land Management (CALM) putting in place to return our south west forests to a more natural balance between jarrah and marri?

Mrs EDWARDES replied:

- (1) There are no objective data on the proportion of jarrah and marri in the forests at the time of European colonisation. It is therefore not possible to determine whether there has been a change or the degree of any change that may have occurred.
- (2) In the light of the above and given the wide range of mixtures in the jarrah-marri forest that occur as a result of site differences and the normal dynamic processes of mixed stands, there are no data to suggest what a 'natural' balance might be or that there has been a significant departure from it. The Department of Conservation and Land Management has no plans to make major changes to the species composition in the jarrah-marri forest.

## FORESTS AND FORESTRY - ROYALTIES

### *Wood Products*

813. Mr MASTERS to the Minister for the Environment:

- (1) For all wood products extracted from State forests, what are the various royalties that must be paid by timber users (including timber used for woodchips, sawn timber, firewood, etc.)?
- (2) Accepting that most mineral royalties payable to the Crown are set at five per cent of the value of the various minerals being mined, in general terms, how do the royalties payable on wood products compare in percentage terms with the final sale values of the different wood products -
  - (a) for wood chips;
  - (b) for firewood;
  - (c) for sawn timber; and
  - (d) for other forest wood products?

Mrs EDWARDES replied:

- (1) See paper No 426.
- (2) Many individual logs are processed into a variety of final products with vastly different selling prices and depending on market forces applying at any particular time. Timber royalties are calculated to recover the costs of growing forests and to provide a real rate of return of 5 per cent to the Crown on the capital invested in growing the forest.

## GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

### *Expenditure*

851. Mr BROWN to the Minister for Works; Services; Multicultural and Ethnic Affairs; Youth:

- (1) How much did each department and agency under the Minister's control spend on -
  - (a) television advertising;
  - (b) radio advertising; and
  - (c) newspaper advertising,between 1 July 1996 and 30 March 1997?
- (2) How much does each department and agency under the Minister's control plan to spend on -
  - (a) television advertising;
  - (b) radio advertising; and
  - (c) newspaper advertising,between 1 April 1997 and 30 June 1997?

Mr BOARD replied:

OFFICE OF YOUTH AFFAIRS

- (1) (a)-(b) Nil  
(c) \$5,982
- (2) (a)-(b) Nil  
(c) \$1,000

OFFICE OF MULTICULTURAL INTERESTS

- (1) (a)-(b) Nil.  
(c) \$1,022
- (2) (a)-(c) Nil.

STATE SUPPLY COMMISSION

- (1) (a)-(b) Nil.  
(c) \$6,400
- (2) (a)-(b) Nil.  
(c) \$3,500 (Estimated).

DEPARTMENT CONTRACT AND MANAGEMENT SERVICES

- (1) (a)-(b) Nil.  
(c) \$106,989
- (2) (a)-(b) Nil.  
(c) \$40,000.00

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

*Expenditure*

872. Mr BROWN to the Minister for Works; Services; Multicultural and Ethnic Affairs; Youth:

- (1) How much did each department and agency under the Minister's control spend on advertising in the 1995-96 financial year?
- (2) How much did each department and agency under the Minister's control spend on -
- (a) television advertising;  
(b) radio advertising; and  
(c) newspaper advertising,
- in the 1995-96 financial year?

Mr BOARD replied:

STATE SUPPLY COMMISSION

- (1) \$1,546.00
- (2) (a)-(b) Nil.  
(c) \$1,546.00

OFFICE OF MULTICULTURAL INTERESTS

- (1) \$1,526.00
- (2) (a)-(b) Nil.  
(c) \$1,526.00

OFFICE OF YOUTH AFFAIRS

- (1)-(2) Nil.

DEPARTMENT OF CONTRACT AND MANAGEMENT SERVICES

- (1) \$269,720.00
- (2) (a)-(b) Nil.

(c) \$269,720.00

GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

*Allocation*

882. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) How much has each department and agency under the Deputy Premier's control allocated to advertising in the 1997-98 financial year?
- (2) What is the purpose of the advertising?

Mr COWAN replied:

Department of Commerce and Trade

- (1) The department does not allocate budgets at this level of detail for the advertising areas mentioned.
- (2) No decisions have been finalised for the 1997/98 financial year.

Small Business Development Corporation

- (1) \$192,000
- (2) To promote
  - (a) the information, specialist advice and assistance available to small and medium enterprises from the Small Business Development Corporation and statewide network of Business Enterprise Centres;
  - (b) events and activities designed specifically to support the small business sector.

International Centre for Application of Solar Energy (CASE)

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

Technology Industry Advisory Council (TIAC)

- (1) \$1,500
- (2) Newspaper advertising calling for "expressions of interest" from consultants to assist Council in developing policy advisory reports for the Minister.

Gascoyne Development Commission

- (1) \$9,600
- (2)
  - (a) staff vacancy advertising;
  - (b) public opinion surveying;
  - (c) public input to draft documents; and
  - (d) general program activities of the Commission.

Goldfields-Esperance Development Commission

- (1) \$8,000
- (2)
  - (a) public meetings;
  - (b) publications;
  - (c) expressions of interest, and
  - (d) advertised vacancies.

Great Southern Development Commission

- (1) \$3,000
- (2) For staff and board recruitment and promotion and marketing of the projects of the GSDC.

Kimberley Development Commission

- (1) \$8,000

- (2)
  - (a) advertising staff vacancies;
  - (b) board vacancies and business;
  - (c) various phone directories; and
  - (d) expressions of interest for projects.

#### Mid West Development Commission

- (1) Estimated at \$10,000. Apart from advertising for recruitment, the Commission allocates funding according to output activities which may include an advertising component.
- (2)
  - (a) advertising staff vacancies;
  - (b) promotion of the region; and
  - (c) promoting the services of the Commission.

#### Peel Development Commission

- (1) \$12,000 (approximately - no final budget determined to date)
- (2)
  - (a) expressions of interest for board contracts;
  - (b) news brief; and
  - (c) special events.

#### Pilbara Development Commission

- (1) \$5,000 - approximately, no final budget determined to date - this figure is based on 1996/97 expected outturn for advertising.
- (2)
  - (a) recruitment;
  - (b) public consultation process;
  - (c) board nominations; and
  - (d) promoting services available from the PDC, for example in local government directories.

#### South West Development Commission

- (1) The South West Development Commission has allocated \$5,000 to advertising in the 1997/98 financial year.
- (2) Promotion of opportunities for investment in the South West region and advertising board vacancies.

#### Wheatbelt Development Commission

- (1) \$3,000
- (2)
  - (a) position vacant;
  - (b) information regarding meetings;
  - (c) tenders for services;
  - (d) consultancies and board vacancies.

### GOVERNMENT ADVERTISING - DEPARTMENTS AND AGENCIES

#### *Allocation*

893. Mr BROWN to the Minister for Works; Services; Multicultural and Ethnic Affairs; Youth:

- (1) How much has each department and agency under the Minister's control allocated to advertising in the 1997-98 financial year?
- (2) What is the purpose of the advertising?

Mr BOARD replied:

#### OFFICE OF YOUTH AFFAIRS

- (1) \$13,500.00
- (2) Advertising of tenders, positions vacant and information about Youth programs and events.

#### STATE SUPPLY COMMISSION

- (1) \$10,000.00 (Estimated).
- (2) Mainly for advertising of staff vacancies, request for consultancy services and the Commission's promotional activities.

OFFICE OF MULTICULTURAL INTERESTS

- (1) \$100,000.00 (Estimated).
- (2) Media publicity campaign against racism.

DEPARTMENT OF CONTRACT AND MANAGEMENT SERVICES

- (1) \$140,000.00 (Estimated).
- (2) Newspaper advertising associated with the tendering for various goods and services and the advertising of vacant positions within the department.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

*Statistics*

903. Mr BROWN to the Deputy Premier; Minister for Commerce and Trade; Regional Development; Small Business:

- (1) How much has been allocated by each department and agency under the Deputy Premier's control for -
  - (a) public opinion polling;
  - (b) market research;
  - (c) customer research; and
  - (d) stakeholder research,
 in the 1997-98 financial year?
- (2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mr COWAN replied:

Department of Commerce and Trade

- (1) The Department of Commerce and Trade does not conduct public opinion polls. The Department does not allocate budgets at this level of detail for the research areas mentioned.
- (2) No decisions have been finalised for the 1997-98 financial year.

Small Business Development Corporation

- (1) The following allocations have been made in the 1997/98 financial year:
 

(a)	public opinion polling	\$10,000
(b)	market research	\$20,000
(c)	customer research	\$20,000
(d)	stakeholder research	--

- (2) The precise nature of the research is as follows:

Public Opinion Polling - a survey of small business opinion conducted twice annually to determine opinions, business trends, concerns and forward estimations from WA's small business sector.

Market Research - Based on current issues requiring information to be gathered, principally from small business operators, eg retail trading hours, impact of new or proposed legislation.

Customer Research - The SBDC conducts an annual evaluation of its programs by way of customer surveys and feedback.

Stakeholder Research - Covered in the three areas above.

International Centre for Application of Solar Energy (CASE)

- (1)
  - (a) Nil.
  - (b) It is estimated that approximately \$10,000 will be spent this financial year on market research.
  - (c) Nil.
  - (d) Nil.
- (2) Market research will focus on the opportunities in developing countries for the introduction and expansion of renewable energy systems.

## Technology Industry Advisory Council (TIAC)

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

## Gascoyne Development Commission

- (1)
  - (a) Nil.
  - (b) Nil.
  - (c) \$3,000
  - (d) Nil.
- (2) Surveying for public comment to assist with strategy formulation and performance indication.

## Goldfields-Esperance Development Commission

- (1) (a)-(d) Nil.
- (2) Not Applicable.

## Great Southern Development Commission

- (1)
  - (a)-(b) Nil.
  - (c) \$2,000
  - (d) \$2,000
- (2) An amount yet to be determined but envisaged to be similar to (c) and (d) above will be used to conduct customer satisfaction surveys and to update a database of stakeholder information in 1997/98.

## Kimberley Development Commission

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

## Mid West Development Commission

- (1)
  - (a)-(b) Nil.
  - (c) \$8,000
  - (d) Nil.
- (2) The Mid West Development Commission conducts a customer perception survey. This survey provides essential information for our annual report, performance indicators and the Board of Management. Not only do these quantifiable data provide valuable information, they also provides feedback for the Commission to better identify customer needs and assist with its internal planning.

## Peel Development Commission

- (1)
  - (a)-(b) Nil.
  - (c) \$2,000
  - (d) Nil.
- (2) Client survey as to the performance of the PDC as required by the Auditor General's Office.

## Pilbara Development Commission

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

## South West Development Commission

- (1)
  - (a) Nil.
  - (b) \$58,000
  - (c) \$10,000
  - (d) \$4,000
- (2) Market Research
  - evaluation of major festivals and events;
  - study into developing industries to identify potential new industries and opportunities; and
  - market research into investment criteria of major industries leading into a marketing campaign to attract new industry and investment in the South West.

Customer Research

A survey of SWDC clients to determine their view and understanding of the Commission's role, activities and performance.

Stakeholder Research

Regional stakeholders to be consulted regarding the content of the 1997/98 South West Strategy.

Wheatbelt Development Commission

- (1)
  - (a) Allocation.
  - (b) \$1,500
  - (c) \$5,000
  - (d) \$5,000
- (2) Client survey to determine the effectiveness of the Commission as part of our performance indicator development. Market Research to improve the Commission's perception within the client group to ascertain the needs of our clients.

GOVERNMENT INSTRUMENTALITIES - POLLING AND MARKET RESEARCH

*Statistics*

907. Mr BROWN to the Minister for Family and Children's Services; Seniors; Women's Interests:

- (1) How much has been allocated by each department and agency under the Minister's control for -
  - (a) public opinion polling;
  - (b) market research;
  - (c) customer research; and
  - (d) stakeholder research,in the 1997-98 financial year?
- (2) What is the precise nature of the polling and/or research that will be undertaken by each department and agency?

Mrs PARKER replied:

Family and Children's Services

- (1)-(2) Specific allocations for 1997/98 have not yet been finalised. The 1997/98 Budget papers outlined some specific proposals for the coming year.

Office of Seniors Interests

- (1)
  - (a)-(b) Nil
  - (c) \$45,000
  - (d) \$1,500.
- (2) Research surveys.

Women's Policy Development Office

- (1)
  - (a)-(b) Nil
  - (c) \$10,000
  - (d) as in (c).
- (2) Customer satisfaction surveys.

GOVERNMENT CONTRACTS - NUMBER AND DETAILS

923. Mr BROWN to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) With the exception of employment contracts, how many contracts for services, involving a total payment of \$40 000 or more, has each department and agency under the Premier's control entered into between 1 September 1996 and 31 March 1997?
- (2) What is -
  - (a) the name of each contractor;
  - (b) the amount of the contract;
  - (c) the purpose of the contract;



- (d) the date on which the contract was entered into; and
- (e) the date on which the contract is scheduled for completion?

Mr COURT replied:

- (1)-(2) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

#### GOVERNMENT CONTRACTS - NUMBER AND DETAILS

927. Mr BROWN to the Minister for the Environment; Employment and Training:

- (1) With the exception of employment contracts, how many contracts for services, involving a total payment of \$40 000 or more, has each department and agency under the Minister's control entered into between 1 September 1996 and 31 March 1997?
- (2) What is -
- (a) the name of each contractor;
  - (b) the amount of the contract;
  - (c) the purpose of the contract;
  - (d) the date on which the contract was entered into; and
  - (e) the date on which the contract is scheduled for completion?

Mrs EDWARDES replied:

- (1)-(2) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

#### GOVERNMENT CONTRACTS - NUMBER AND DETAILS

934. Mr BROWN to the Minister representing the Minister for Finance:

- (1) With the exception of employment contracts, how many contracts for services, involving a total payment of \$40 000 or more, has each department and agency under the Minister's control entered into between 1 September 1996 and 31 March 1997?
- (2) What is -
- (a) the name of each contractor;
  - (b) the amount of the contract;
  - (c) the purpose of the contract;
  - (d) the date on which the contract was entered into; and
  - (e) the date on which the contract is scheduled for completion?

Mr COURT replied:

The Minister for Finance has provided the following response -

- (1)-(2) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

#### GOVERNMENT CONTRACTS - NUMBER AND DETAILS

936. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) With the exception of employment contracts, how many contracts for services, involving a total payment of \$40 000 or more, has each department and agency under the Minister's control entered into between 1 September 1996 and 31 March 1997?
- (2) What is -

- (a) the name of each contractor;
- (b) the amount of the contract;
- (c) the purpose of the contract;
- (d) the date on which the contract was entered into; and
- (e) the date on which the contract is scheduled for completion?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response -

- (1)-(2) Government agencies routinely contract external providers to undertake a range of services in support of the delivery of their programs. Given the large number of contractual arrangements in place at any time the details sought are not readily available. I am not prepared to direct considerable resources to obtain this information. However, if the member has a specific query I will have the matter investigated.

JUSTICE, MINISTRY OF - ROWE REPORT

*Public Service Commissioner - Findings*

945. Mr BROWN to the Minister for Public Sector Management:

- (1) Further to questions on notice 186 of 1997 and 1478 of 1996, what was the nature of the outstanding matters considered by the Public Service Commissioner?
- (2) What was the nature of the investigations conducted?
- (3) What were the Commissioner's findings in respect of each of the outstanding matters?
- (4) On what basis did the Commissioner consider that the outstanding matters have been addressed?

Mr COURT replied:

- (1) The outstanding matters considered by the Public Service Commissioner related to allegations made by Mr Rowe over two alleged appointments within the Ministry of Justice.
- (2) The nature of the investigations were to gather further information regarding the allegations.
- (3)-(4) The Public Service Commissioner concluded that the outstanding matters were incorrect in fact and unsubstantiated.

FUEL AND ENERGY - COLLIE POWER STATION

*Employees - Retraining*

950. Mr BROWN to the Minister for Employment and Training:

- (1) Further to question on notice 139 of 1997, what amount is being provided by the Collie Power Station to retrain the 300 workers referred to in the Minister's media statement?
- (2) How has the amount provided by the Collie Power Station been calculated?
- (3) What is the cost of the consumables that will be provided?
- (4) What would have been the cost of leasing the equipment had the equipment had to be leased?
- (5) Have any other Government or private contributions been made to the retraining of the 300 workers?
- (6) If so, what contributions?
- (7) Which organisation or organisations made such contributions?

Mrs EDWARDES replied:

- (1)-(4) The Department of Training and ABB/Itochu Consortium are jointly funding a project related to the Collie Power Station. To match the Department's contribution the consortium has agreed to the provision of all equipment, materials and facilities for the program. It is estimated that the value of the Consortium's contribution is \$200 000.

- (5) No.  
 (6)-(7) Not applicable.

GOVERNMENT INSTRUMENTALITIES - CRITICAL COMMENT

*Auditor General*

951. Mr BROWN to the Premier; Treasurer; Minister for Public Sector Management; Federal Affairs:

- (1) Since 1 July 1995 has any department or agency under the Premier's control received a critical comment, letter or direction from the Auditor General?
- (2) If so -
- (a) what department or agency;
  - (b) when did the Auditor General make the critical comment;
  - (c) what were the precise circumstances that gave rise to the critical comment;
  - (d) how did the circumstances come about; and
  - (e) who was responsible?
- (3) When did the matter first come to the Premier's attention?
- (4) Did the Premier make the Parliament aware of the matter when it came to his attention?
- (5) If not, why not?

Mr COURT replied:

Government departments and agencies periodically receive reports, comments and opinions from the Auditor General. All chief executive officers should be aware of matters raised by the Auditor General in relation to their agencies and take appropriate action in accordance with their statutory obligations under the Public Sector Management Act and the Financial Administration and Audit Act. The Auditor General regularly submits reports to Parliament and the opinion of the Auditor General is required to be included in the annual reports of all government agencies when they are tabled. Should the member care to raise any specific matters in relation to the Auditor General and the agencies under my portfolio, I would be happy to have them investigated.

GOVERNMENT INSTRUMENTALITIES - CRITICAL COMMENT

*Auditor General*

955. Mr BROWN to the Minister for the Environment; Employment and Training:

- (1) Since 1 July 1995 has any department or agency under the Minister's control received a critical comment, letter or direction from the Auditor General?
- (2) If so -
- (a) what department or agency;
  - (b) when did the Auditor General make the critical comment;
  - (c) what were the precise circumstances that gave rise to the critical comment;
  - (d) how did the circumstances come about; and
  - (e) who was responsible?
- (3) When did the matter first come to the Minister's attention?
- (4) Did the Minister make the Parliament aware of the matter when it came to her attention?
- (5) If not, why not?

Mrs EDWARDES replied:

Government departments and agencies periodically receive reports, comments and opinions from the Auditor General. All chief executive officers should be aware of matters raised by the Auditor General in relation to their agencies and take appropriate action in accordance with their statutory obligations under the Public Sector Management Act and the Financial Administration and Audit Act. The Auditor General regularly submits reports to Parliament and the opinion of the Auditor General is required to be included in the annual reports of all government agencies when they are tabled. Should the member care to raise any specific matters in relation to the Auditor General and the agencies under my portfolio, I would be happy to have them investigated.

## GOVERNMENT INSTRUMENTALITIES - CRITICAL COMMENT

*Auditor General*

962. Mr BROWN to the Minister representing the Minister for Finance:

- (1) Since 1 July 1995 has any department or agency under the Minister's control received a critical comment, letter or direction from the Auditor General?
- (2) If so -
  - (a) what department or agency;
  - (b) when did the Auditor General make the critical comment;
  - (c) what were the precise circumstances that gave rise to the critical comment;
  - (d) how did the circumstances come about; and
  - (e) who was responsible?
- (3) When did the matter first come to the Minister's attention?
- (4) Did the Minister make the Parliament aware of the matter when it came to his attention?
- (5) If not, why not?

Mr COURT replied:

The Minister for Finance has provided the following reply -

Government departments and agencies periodically receive reports, comments and opinions from the Auditor General. All chief executive officers should be aware of matters raised by the Auditor General in relation to their agencies and take appropriate action in accordance with their statutory obligations under the Public Sector Management Act and the Financial Administration and Audit Act. The Auditor General regularly submits reports to Parliament and the opinion of the Auditor General is required to be included in the annual reports of all government agencies when they are tabled. Should the member care to raise any specific matters in relation to the Auditor General and the agencies under my portfolio, I would be happy to have them investigated.

## GOVERNMENT INSTRUMENTALITIES - CRITICAL COMMENT

*Auditor General*

964. Mr BROWN to the Minister representing the Minister for Racing and Gaming:

- (1) Since 1 July 1995 has any department or agency under the Minister's control received a critical comment, letter or direction from the Auditor General?
- (2) If so -
  - (a) what department or agency;
  - (b) when did the Auditor General make the critical comment;
  - (c) what were the precise circumstances that gave rise to the critical comment;
  - (d) how did the circumstances come about; and
  - (e) who was responsible?
- (3) When did the matter first come to the Minister's attention?
- (4) Did the Minister make the Parliament aware of the matter when it came to his attention?
- (5) If not, why not?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response -

Government departments and agencies periodically receive reports, comments and opinions from the Auditor General. All chief executive officers should be aware of matters raised by the Auditor General in relation to their

agencies and take appropriate action in accordance with their statutory obligations under the Public Sector Management Act and the Financial Administration and Audit Act. The Auditor General regularly submits reports to Parliament and the opinion of the Auditor General is required to be included in the annual reports of all government agencies when they are tabled. Should the member care to raise any specific matters in relation to the Auditor General and the agencies under my portfolio, I would be happy to have them investigated.

#### GOVERNMENT INSTRUMENTALITIES - INTERNET SITES

##### *Establishment*

1010. Mr KOBELKE to the Premier:

- (1) How many State Government departments or agencies have now established Internet sites?
- (2) Is it Government policy to encourage departments and agencies to provide standard information on the Internet as an effective means of communicating with the wider community?
- (3) Is it Government policy not to encourage Members of Parliament to have the facility to conveniently and directly access this standard Government information?
- (4) If not, when will action be taken to provide Members of Parliament and their electorate offices with the facilities to enable them to access the Internet?

Mr COURT replied:

- (1) Approximately 60 government agencies are publishing on the Internet with some agencies publishing more than one set of pages.
- (2) Government departments and agencies are expected as a matter of good management to use cost effective means, including the Internet, to provide relevant information to the wider community.
- (3)-(4) The Government is committed to ensuring that Members of Parliament have access to communication and information facilities available generally in the community. In this regard the Government has allocated funds in the 1997/98 budget to provide all Members of Parliament with the facility to access the Internet from their electorate offices.

#### PARKS AND RESERVES - NATIONAL

##### *Cape Range - Troglobitic Species*

1031. Dr CONSTABLE to the Minister for the Environment:

How will the Minister ensure that the nine threatened and gazetted troglobitic species of the Cape Range National Park will not be adversely affected by increased water extraction and limestone mining?

Mrs EDWARDES replied:

Subject to my determination of any appeals, I anticipate setting environmental conditions to protect troglobitic fauna.

#### JOONDALUP CINEMA COMPLEX - CONCESSIONS

##### *Seniors' Card Holders*

1124. Mr PENDAL to the Minister for Seniors:

- (1) I refer to the Government's decision to go into the picture theatre business at Joondalup as a joint venture owner with Armstrong Jones and ask, will holders of seniors' cards be eligible for concessions at the new Government-owned theatres?
- (2) If not, why not?

Mrs PARKER replied:

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

HEALTH - MEAT INSPECTIONS

*Watsonia Abattoir*

1144. Mr McGINTY to the Minister for Health:

- (1) Is the Minister aware of the article in *The West Australian* newspaper on Thursday 8 May 1997 headed "Check misses bad meat at Spearwood" which referred to meat passed for human consumption by company employed inspectors by Watsonia Meats which then had to be condemned by an inspector from the Health Department of Western Australia?
- (2) Is it correct that an employee such as a slaughterman was the person who brought the incidents referred to in the article to the Health Department inspector's notice and not one of the company employed inspectors who should have condemned the carcass?
- (3) Does this reflect on the competence of the inspector or inspectors employed by the company?
- (4) Can the Minister guarantee that the carcass was not condemned by company employees because of economic and commercial considerations?
- (5) Is the claim by the National Meat Association of Australia Western Australia Executive Director Mr Bob Heaperman in the newspaper article referred to in question 1, that the "incident proved a new meat inspection policy introduced by the company was working" an admission that there is a necessity for a government inspector to be maintained on every abattoir to ensure this type of incident is not permitted to occur?
- (6) Can the Minister give the consumers of meat in Western Australia an assurance the government will not permit the removal of all government inspectors employed by Health Department of Western Australia and Local Government at a future date?
- (7) If not, why not?
- (8) The newspaper article referred to in question 1 made mention that twice in the past month two incidents occurred whereby meat passed for human consumption by company inspectors was condemned by the Health Department of WA, but only states the reason for condemnation regarding one incident when it referred to a carcass with arthritis. Can the Minister advise -
  - (a) what was the reason for condemnation of the meat referred to in the other incident;
  - (b) was the need to condemn the meat brought to the attention of the Health Department inspector as the result of his attention being directed to it by an employee other than a company meat inspector?
- (9) If the answer to question (8) is yes, does this demonstrate it is not possible for one government inspector to oversee the operation of Watsonia abattoir?

Mr PRINCE replied:

- (1) Yes.
- (2) Yes, it was an employee that brought the issue to the attention of the Health Department inspector.
- (3) No. Meat inspection relies on sensory methods and it is conceivably possible for an incident of the type to occur at any abattoir regardless of the type of inspection system in operation.
- (4) The carcass was not condemned by company employed inspectors because of economic and commercial considerations.
- (5) Yes. This supports precisely the position taken by the Health Department that at least one government inspector should be part of the meat inspection system at abattoirs where meat inspectors are employed by a company and have overriding authority on contentious matters.
- (6) Yes.
- (7) Not applicable.
- (8) The Health Department has advised that there was only one incident where a carcass passed by a company employed meat inspector was condemned by a Health Department inspector. With reference to the second incident mentioned in the newspapers, the carcass was deemed fit for human consumption by the Health Department inspector.

(9) Not applicable.

DISABILITY SERVICES - ALISTER McLEAN FOUNDATION INCORPORATED

*Operation*

1147. Mr CARPENTER to the Minister for Disability Services:

- (1) Can the Minister give details of the private foundation to fund people with disabilities?
- (2) Who proposed the foundation?
- (3) What private sector involvement does the Minister envisage?
- (4) How will the foundation work?

Mr OMODEI replied:

- (1) It is assumed the member is referring to the Alister McLean Foundation Incorporated. It is understood the foundation has been established to assist charitable organisations to support people with intellectual disabilities. The organisation is sponsored by the Home Building Society and was launched on 14 May 1997.
- (2)-(4) Details can be sought from the foundation directly.

GOVERNMENT INSTRUMENTALITIES - COMMERCIAL ACTIVITIES

*Investment and Financial Statements*

1153. Mr PENDAL to the Minister for Family and Children's Services; Seniors; Women's Interests:

- (1) Will the Minister list each Government department or agency under her control which is involved in any commercial or business venture by way of invested capital, or partnerships with the private sector on which the department/agency seeks a return?
- (2) Will the Minister indicate the level of investment in each case?
- (3) Will the Minister indicate whether such departments/agencies table their financial statements in Parliament?
- (4) If they do not, will the Minister arrange for such tabling?

Mrs PARKER replied:

- (1) None.
- (2)-(4) Not applicable.

POLLUTION - CONTAMINATED SITES

*Omex*

1173. Dr EDWARDS to the Minister for the Environment:

- (1) Further to question on notice No. 666 of 1997, will the Minister table a copy of the Department of Environmental Protection's report?
- (2) If not, why not?

Mrs EDWARDES replied:

- (1) Yes - See paper No 427.
- (2) Not applicable.

POLLUTION - CONTAMINATED SITES

*Omex - Health Effects*

1174. Dr EDWARDS to the Minister for Health:

Further to question on notice 693 of 1997, will tests be undertaken to detect levels of phenol in soils?

Mr PRINCE replied:

There has been no final decision as to which substances will be examined in the proposed soil analyses. Lead and polyaromatic hydrocarbons (PAHs) have been considered as these are the compounds most likely to be present. They were the principal contaminants at the Omex site. If lead and PAHs are not present there would be no need to test for other substances. However, if they are found at elevated concentrations it may be necessary to expand analyses to include other compounds such as phenols.

#### GAMBLING - MACHINES

##### *Licensed Premises*

1187. Mr GRAHAM to the Minister representing the Minister for Racing and Gaming:

- (1) Does the Government intend to allow gambling machines into Western Australian Hotels and Taverns?
- (2) If not, why not?
- (3) If so -
  - (a) what legislative changes are required;
  - (b) what type of gambling machines does the Government intend will become legal;
  - (c) when will the changes take effect;
  - (d) which Hotels and Taverns will be entitled to have gambling machines on their premises;
  - (e) is it intended to restrict the hours during which gaming machines can be used on licensed premises?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response -

- (1) No.
- (2) Exclusivity provisions contained in the agreement scheduled to the Casino (Burswood Island) Agreement Act 1985.
- (3) Not applicable.

#### LICENSED PREMISES - STAFF

##### *Prosecutions*

1229. Ms WARNOCK to the Minister representing the Minister for Racing and Gaming:

- (1) What sort of training is presently provided for servers and bar staff at hotels and taverns?
- (2) Is any trade qualification required of bar staff before they are permitted to work as liquor servers?

Mr COWAN replied:

The Minister for Racing and Gaming has provided the following response -

- (1) Hospitality training, including bar management, is available at tertiary institutions and commercial training centres.
- (2) No.



## QUESTIONS WITHOUT NOTICE

### HOSPITALS - WAITING LISTS

#### *Reduction*

**353. Mr McGINTY to the Minister for Health:**

- (1) Can the Minister advise the House of the success or otherwise of the Government's hospital waiting list reduction program?
- (2) In particular, can the Minister explain why the waiting lists for orthopaedic surgery have blown out?
- (3) As the budget estimates make no provision for continuing the annual \$15m allocation for the hospital waiting list reduction program beyond the coming financial year, can we expect even longer waiting times for elective surgery in our public hospitals?

**Mr PRINCE replied:**

- (1)-(3) The continued demand pressure on public hospitals has not diminished; if anything, it has increased, and that increase has been between four and five per cent in the past three years. That has occurred largely as a result of the dropout rate from private health insurance, the ageing population and developments in medical technology that result in an increasing ability to deliver services. In general terms, they are the drivers of the system.

I have some figures to hand in respect of the number of cases admitted to Western Australian public hospitals, as follows: In teaching hospitals the waiting list had 179 101 patients in 1994-95, 191 238 in 1995-96 and 103 745 to 31 December 1996; in non-teaching hospitals the figure went from 57 398 in 1994-95 to 58 398 in 1995-96 and for the half year to 31 December 1996, 25 729 - so that will be about the same over a full year or perhaps a little less. The figures for country hospitals are: 1994-95, 100 333; 1995-96, 102 646; and for the period to 31 December 1996, 48 004, again approximately the same.

The number of listed cases remains much the same or has increased. The waiting list strategy money is being used to reduce the waiting lists, particularly in certain hospitals. I know Fremantle Hospital has a particular problem, which is largely due to theatres being rebuilt. The member asked a question along these lines in the Estimates Committee, and was told that the very long waiting time for orthopaedic surgery is expected to be reduced when the rebuilding work is complete in July.

I do not have any more up to date figures, but I will provide them. This is a two-year strategy and it will be looked at when it has run for at least one year. It would not be proper or sensible to commit to it further without an evaluation of what it has achieved. Some of that strategy money has been spent on improving facilities, not simply on doctors dealing with more cases. In that sense, where one improves facilities so that more can be dealt with, one must allow some time to elapse to gauge whether it has had the desired effect.

### ROADS - SCHOOL ZONES

#### *Installation*

**354. Mr MARSHALL to the Minister representing the Minister for Transport:**

On paper, the new 40 kilometre an hour school zoning appears to be an excellent and innovative program. Is the trial proving successful and what is the proportion of metropolitan to country schools that have been allocated this zoning?

Mr Carpenter interjected.

The SPEAKER: Order!

**Mr OMODEI replied:**

I thank the member for some notice of this question. The Minister for Transport has supplied the following response: The installation of school zones commenced in January this year as part of a three-year \$8m school safety enhancement program. A detailed program for installations has been developed with the assistance of local government and approximately 330 primary schools have been included in the 1997 program. Installations will continue in 1998 and 1999, with signs being erected at the remainder of the primary schools and then the high schools.

The configuration of the roads adjacent to schools varies and it is important from the road users' view that they be treated consistently. Therefore, each site must be assessed on an individual basis, which means it is not possible to effect all school zones immediately. A full post-implementation evaluation of school zones will be conducted, involving both surveys and statistical analysis. This is expected to be completed in 12 months.

There are 1 140 schools in the State, of which 840 are in the metropolitan and 300 in rural areas; 13 per cent of schools in the metropolitan area and 4 per cent in rural areas have been completed. There is still room for improvement in country areas.

#### HOSPITALS - ROCKINGHAM HEALTH SERVICE

##### *Waiting List*

#### **355. Mr McGINTY to the Minister for Health:**

- (1) Is the Minister aware that patients waiting for an orthopaedic operation at Rockingham-Kwinana health service are waiting up to three years for their procedures?
- (2) Is the Minister also aware that according to an orthopaedic surgeon operating at the hospital the budget restraints and cost saving measures which have recently been introduced and which will apply until the end of the financial year mean that he can perform only three operations a fortnight?
- (3) Is the Minister aware that the same surgeon has claimed that the waiting list and surgical options for people needing non-urgent orthopaedic surgery at Rockingham are "unworkable"?

#### **Mr PRINCE replied:**

- (1)-(3) I am certainly aware of the problems with regard to the projected overruns at the Rockingham Health Service. That has been a matter of concern and departmental officers are dealing with it in conjunction with the officers at Rockingham. I am also aware that the health service received additional funding of \$1 059 700 in 1996-97 for accident and emergency and community health. Inpatient services received additional funding for 160 weighted cases totalling \$230 400 with consideration being given to increasing this by a further 160 weighted cases in 1997-98. Inpatient waiting list reduction strategies received an additional 111 unweighted cases, totalling \$162 500 to reduce the surgical waiting list. I am aware of the difficulties; there are difficulties across the system and we must have better coordination. The 1996-97 budget was a significant increase - \$54m on 1996-97 - on the allocations in past years, and all the money is being used to achieve the best results for patients. We are handling the growth in demand within the limits.

#### HOSPITALS - WAITING LISTS

##### *Reduction*

#### **356. Mr McGINTY to the Minister for Health:**

How many public hospitals, apart from Rockingham-Kwinana, are cutting back on elective surgery due to current budget restraints and cost cutting measures?

#### **Mr PRINCE replied:**

As I advised the member during the estimates hearing last week - perhaps he did not take notes at the time - I think that of the total number of 170 hospitals, 12 have projected budget overruns to 30 June 1997. The total projected cost of overruns is in the vicinity of \$3.7m. That matter is being handled. The member for Fremantle was in this Chamber when the teaching hospitals, which handle well over 70 per cent of these procedures, said that they would come in on budget. About 12 hospitals have projected budget overruns. Unfortunately most are in the country, but some are in the metropolitan area. Rockingham has the biggest projected overrun of any of the hospitals in the metropolitan area that I can recall. That is a matter of great concern. Insofar as the resources can be moved around within the system, they have been moved around to meet the waiting times and the waiting lists.

Mr Court: What was the hospital budget? Was it \$1b?

Mr PRINCE: No. The hospital budget is \$1.634b; that is, 28 per cent of the total budget. It is the biggest single percentage of the budget for any area of activity. There are fundamental problems to do with health funding that are not quarantined in this State. It is the same everywhere in Australia. In many places waiting times are considerably worse. We are doing better than most other places. Of course, that is of no solace to those who must wait, and were it within my power, they would not wait at all. The fact of the matter is that health funding - that is, Medicare and

hospital funding - within Australia is a matter that must be approached and addressed as a matter of urgency at the highest level.

Mr McGinty: The question was how many hospitals are cutting back on operations.

Mr PRINCE: I will tell the member that the number is 12, but I cannot tell him how many are cutting back on operations because that is a management decision; however, I will find out.

#### INDUSTRIAL RELATIONS - LEGISLATION

##### *Workers - Support*

#### **357. Mr BARRON-SULLIVAN to the Minister for Labour Relations:**

The Minister for Labour Relations is also a man who gets results. Some union leaders are claiming widespread support by rank and file workers for industrial action being taken over industrial relations legislation. Can the Minister inform the House of comments made recently by workers in the south west regarding these tactics?

#### **Mr KIERATH replied:**

I thank the member for Mitchell for this question; he has taken a very strong interest in industrial relations issues, particularly within his electorate. It was recorded in the *South Western Times* on 13 May that picket lines by the Builders Labourers, Painters and Plasterers Union were placed around the construction site of the South West Health Campus. Surely everybody is pretty keen to get the hospital built there; nevertheless, for political reasons a picket line was put around the site. The workers accused the union of a carrying out a publicity stunt. The workers said - this is very interesting because it goes to the heart of what we have been talking about; what the workers really wanted - that they were happy with their workplace agreements, work conditions and boss. In fact, they said that they were well paid and had no industrial problems whatsoever.

Mr Riebeling: That is until you came along.

Mr KIERATH: This is what the workers really wanted. They rebuked the union organiser and claimed he was making false statements. They said that most workers were getting over-award rates. The employer told the workers that they did not have to cross the picket line. He was aware of some of the threats, intimidation and other illegal measures used by some unions to force compliance. Despite this, most workers crossed the picket line and continued to work. When they did so, the unionists jeered and abused them. I ask the House this: Is this democracy or is it not? Do workers have the right to go to work, without fear, intimidation and jeering, and without being abused? One interesting aspect is that one worker said, "What stuck with us was they said they were after Merv." That is, the employer. He said, "They hurled abuse at us; they didn't go after Merv; they went after their fellow workers." I say the unions did that to receive political coverage.

This is a very clear case of the union heavies not wanting the workers to have their rights or say, not allowing them the right to say whether they wanted to work; they wanted to force their will on the workers. This is a classic case of where the workers have told the union hierarchy of the organisation, "Get lost; we don't agree with you; we should be able to go about our lawful work and business without that sort of intimidation."

#### WHITBREAD ROUND THE WORLD RACE - CLOSURE OF ENTRIES

#### **358. Dr GALLOP to the Premier:**

- (1) Is the Premier aware that the deadline for entry into the Whitbread yacht race is next Sunday, 1 June?
- (2) Has he had confirmation that Elle Racing Pty Ltd has entered a boat in the race?

#### **Mr COURT replied:**

- (1) I am not aware of the deadline.
- (2) I will make inquiries of the Tourism Commission in respect of this matter.

#### HEALTH - SERVICES

##### *Southern River Electorate*

#### **359. Mrs HOLMES to the Minister for Health:**

The provision of good health services in my electorate is a matter of grave concern. No attention was paid to it during the 10 years of Labor rule, and I would like to know what this Government is doing now that it has got rid of the debt problem.

The SPEAKER: Order! I hope the Minister was able to hear the question, because I had a little difficulty. I remind members that when they make lead-in comments to the question, they are supposed to be sufficient only to make the question intelligible.

**Mr PRINCE replied:**

I thank the member for some notice of this question. I have already given part of the answer to the member for Fremantle. I will now provide the rest of it. In the 1996-97 and 1997-98 budget an additional \$1m has been allocated to the two health facilities that service the Southern River electorate; that is, Armadale-Kelmscott District Memorial Hospital and Rockingham-Kwinana District Hospital. Of that, \$283 500 has been spent on the accident and emergency area. Community health had increased funding of \$12 200 in 1996-97, which will go up to \$370 000 in 1997-98. I have already mentioned the growth in inpatient funding of \$230 000 for 160 cases, with consideration for a further 160 cases in 1997-98; that is a total of 320 cases. An additional 111 unweighted cases were purchased to reduce the inpatient waiting lists.

Set up costs of \$123 100 were provided for psychiatric rehabilitation within the mental health area. The member for Peel was with me when I launched that project and he supports that excellent mental health program. Some \$188 000 was provided for information technology, to implement the new metropolitan hospitals' computerised hospital management system. Additional funding of \$2 086 700 was provided in 1996-97 for services in Armadale-Kelmscott. Those opposite did not provide that at all in the 10 years they were in government. Funding for an additional 318 weighted cases, totalling \$458 000, was provided to address the increase in inpatients. An additional 100 unweighted cases were purchased to reduce the inpatient waiting lists; that is, an allocation of \$165 000. In the mental health area \$145 000 was provided for a new mental health child and adolescent unit, which I hope those opposite will support, because they should. A further \$150 000 will be provided for ongoing funding for an additional three community mental health units in 1997-98. To get better coordination across the metropolitan hospitals' patient management system, \$160 000 will be provided for information technology. That is but part of the increased funding to those two health services. They are spending that funding very wisely. They are providing a far better service than was ever provided under 10 years of debt-ridden Labor rule.

#### INDUSTRIAL RELATIONS - LEGISLATION

##### *Enforcement*

**360. Mr KOBELKE to the Minister for Labour Relations:**

- (1) Given that the new industrial relations laws are already being openly flouted, will the Minister now admit that the new laws are unworkable?
- (2) If not, can the Minister explain to the House what steps he is taking to enforce the laws?

**Mr KIERATH replied:**

I can arrange a private briefing for the member for Nollamara on how the Department of Productivity and Labour Relations and the enforcement of the Industrial Relations Act work. Surely having been made spokesman for the Labor Party he has tried to find that out. Prosecution guidelines and policies are administered by the department, not by the Minister. Those policies are similar -

Dr Gallop: Why bring those into the Parliament?

Mr KIERATH: As the member for Cottesloe once said he did, when people breach the law I remind them. Under the Industrial Relations Act industrial inspectors do not generally stand on every street corner.

Mr Kobelke: They do on construction work sites.

Mr KIERATH: No; inspectors are not watching to see whether the legislation is being breached. If somebody makes a complaint because they believe the law has been broken, an inspector will investigate.

Several members interjected.

The SPEAKER: The outburst from both sides of the Parliament is unacceptable.

Mr KIERATH: I was trying to say to opposition members before they were unable to contain themselves that if people believe the law is being broken, they make a complaint to an industrial inspector who will investigate it. If a breach is found, the offender will be prosecuted.

Dr Gallop: What about the law you broke?

Mr KIERATH: I have not broken any law.

Dr Gallop: Yes you have, the Public Sector Management Act; and you will not let yourself be investigated.

The SPEAKER: Order, Leader of the Opposition!

Mr KIERATH: That is typical of the double standards of the Leader of the Opposition. Although I think I have made the point clear, I am happy for the department to brief the member for Nollamara on its prosecution policy, which is independent of the Minister. The Minister is not involved in prosecutions, although the Minister is informed when convictions are recorded. When that happens, I will remind members of that.

#### HOSPITALS - GERALDTON REGIONAL

##### *Dialysis Machines*

#### **361. Mr BLOFFWITCH to the Minister for Health:**

Last year I made representation to the Minister for Health on behalf of several Geraldton residents who are receiving haemodialysis treatment in Perth. As a result of these representations the Minister made a commitment to initiate the development of an appropriate service at the Geraldton Regional Hospital. What progress has been made on this matter?

#### **Mr PRINCE replied:**

The member for Geraldton has persisted on behalf of a few people from Geraldton to have a dialysis treatment service established in Geraldton so that those people do not have to travel to Perth to receive treatment. It has taken time to develop a plan involving Sir Charles Gairdner, Royal Perth and Geraldton Regional Hospitals and the acquisition of equipment, which is now installed, water purification and training of staff. The training took the longest lead-in time.

The staff are now trained and the machine is in position. I gather that the first patient had her dialysis treatment at home on 6 May and will not have to travel to Perth two or three times a week. However, it is necessary for backup machines to be on hand. I am told that as a result of a very attractive purchasing deal Sir Charles Gairdner Hospital has bought two more machines. The second machine, to provide safety backup, is expected to be installed within the next couple of weeks.

Another patient whom the member for Geraldton brought to my attention cannot be transferred back to Geraldton because he has other problems keeping him in Perth. It is anticipated over the 1997-98 financial year the number of people using the equipment should increase from two to four, or even six.

The equipment, the training and the number of staff will be able to handle those people as long as the form of dialysis can be obtained from the machinery in place.

#### ABORIGINES - SISTERS

##### *Removal from their Family - Compensation*

#### **362. Mr RIPPER to the Minister for Family and Children's Services:**

I refer to the case involving the Aboriginal sisters Rosalie Fraser and Chantelle Graham, who were removed from their parents and who suffered terrible abuse in foster care, which the welfare authorities were warned about at the time, but which they ignored. I also refer to this Government's refusal to compensate them for this treatment.

In the light of the stolen generation inquiry, will the Minister now re-examine their claim for compensation, an explanation and an apology?

Mr Tubby: I remember when you were the Minister trying to take two children -

The SPEAKER: Order, member for Roleystone!

Mr RIPPER: I was trying to return them to their Aboriginal relatives.

#### **Mrs PARKER replied:**

I respect the member's sincerity in asking that question. I am aware of the cases to which he refers and I will consider his request.

SWAN BREWERY - CONSTRUCTION

*Extension of Time*

**363. Dr CONSTABLE to the Premier:**

I refer to the failure of Bluegate Nominees to complete construction of the old Swan Brewery despite one extension of time.

- (1) Has Bluegate Nominees applied for a further extension of time to complete the work at the site?
- (2) If yes, does the Government intend to grant the extension?
- (3) Does the Government intend to use this opportunity to renegotiate the terms of the lease to achieve a better deal for the State?
- (4) Will the Premier confirm that Bluegate Nominees has attempted to sell the lease? If so, to whom?

**Mr COURT replied:**

- (1)-(4) The Minister responsible is the Minister for Works and Services. An extension was given. Based on legal advice to the Government it made certain commitments to enable the development to be completed. Extensive delays took place as a result of opposition to licences etc. Bluegate Nominees has asked for a further extension and the matter is being considered by the Government. That could result in some changes to the original agreement. I cannot comment further because I am unaware of the detail.

HOUSING - KEYSTART LOANS LTD

*Swan Hills*

**364. Mrs van de KLASHORST to the Minister for Housing:**

A report in *The West Australian* and comments by the member for Armadale indicate that the Keystart program is leading people into housing poverty. As there are many constituents in Swan Hills with these loans, are mechanisms in place to protect people from losing their homes?

**Dr HAMES replied:**

I thank the member for some notice of this question.

A number of safety measures are in place for people who have Keystart loans. The first covers their ability to take out the loan in the first place. The last thing we want is to drive people into housing poverty. Keystart uses a maximum loan to income ratio of 2.6, which I gather is less than the banks' ratio of around 3. Purchasers must have a greater portion of their income available for repaying the loan.

We recently assessed those loans, even though yesterday the home loan interest rate was reduced to 7.75 per cent -

Ms MacTiernan interjected.

Dr HAMES: We can get into that argument any time the member likes. She is wrong and she knows it. We assess the ability of purchasers to repay their loan at 9.5 per cent interest rate. That allows a buffer for any future interest rate increases so that people do not lose their loan.

Recently I provided figures to the member for Armadale which showed that the number of loans that have failed through Keystart has increased.

Ms MacTiernan: By 150 per cent.

Dr HAMES: However, that ratio must be considered in proportion to the total number of loans provided.

Ms MacTiernan: They increased by 10 per cent.

Dr HAMES: I advise the member for Armadale that it is much less than it was when the Labor Party was in government. If the member wants, I will table the figures in this House. The program implemented by the Labor Government was a major failure. It highlighted the concerns the member for Armadale raised the other day. It started at a low interest rate and people were not able to meet the increased interest rate payments. A large number of people lost their homes under that system.

Ms MacTiernan: And we corrected it.

Dr HAMES: The Labor Government did not correct it. It was corrected by this Government. The changes were made in 1993. The new scheme corrected the problem created by the Labor Government. The proportional increase has been minimal in comparison with the total number of loans.

Ms MacTiernan: That is not true.

Dr HAMES: Any person who loses their home has a major problem and something should be done to prevent that happening. I am pleased to inform the House that something is being done. Homeswest is putting in place a plan that will give people who get into financial difficulties with their home loan two options. They will be able to adjust their loan repayments for a period of six months. If the difficult circumstances remain after that time, the changed repayment schedules will remain in place for a longer term. More importantly, people who have a Keystart loan can transfer it to a shared equity loan. Under the previous system, a shared equity loan resulted in Homeswest taking responsibility for 30 per cent of the loan and the client 70 per cent. The Government will now provide for clients to take responsibility for 50 per cent of the loan, with Homeswest being responsible for the remaining 50 per cent. In addition, it will allow family members, including grandparents, to buy into the ownership of the house to assist their relatives who find themselves in financial difficulty. The Government hopes that the new scheme will mean that fewer people will lose their homes. People who apply for a Keystart loan are not eligible for bank loans because they are on low incomes. This scheme is welcomed by people on low incomes.

#### HOUSING - KEYSTART LOANS LTD

##### *Advice*

#### **365. Mrs van de KLASHORST to the Minister for Housing:**

I listened carefully to the Minister and it concerns me that on occasions some of these young people applying for the loans are often -

Ms MacTiernan: This is a preamble.

Mrs van de KLASHORST: - not given sufficient advice.

The SPEAKER: Order! I rule the supplementary question by the member for Swan Hills out of order.

#### HOUSING - KEYSTART LOANS LTD

##### *Interest Rates*

#### **366. Ms MacTIERNAN to the Minister for Housing:**

- (1) Is the Minister aware that hundreds of Keystart borrowers are paying interest rates of 9.8 per cent?
- (2) Is he aware that many of the home buyers paying these exorbitant interest rates, which were introduced under a scheme which was commenced 18 months ago, are having trouble meeting their repayments and are falling into arrears?
- (3) What action does the Minister propose to take to provide the much sought after relief for these home buyers?

#### **Dr HAMES replied:**

- (1)-(3) I do not think the member listened when I answered the previous question. I have been through the details of what the Government is doing to address the problems of people who are unable to meet their loan repayments. The Government recently reduced the interest rate to 7.75 per cent. I am not aware that home buyers are still paying the interest rate mentioned by the member. I presume the 7.75 per cent interest rate will be introduced from 1 July and that those people will move to that rate. To address the concerns raised by the member for Armadale I invite her to a full briefing by Homeswest on this issue.

#### LOCAL GOVERNMENT - CITY OF BAYSWATER

##### *Security Patrols*

#### **367. Mrs ROBERTS to the Minister for Police:**

- (1) Is the Minister aware that the City of Bayswater patrols have been so successful in reducing burglaries that two insurance brokers have offered to reduce premiums for all Bayswater residents by the actual cost to ratepayers of hiring the security patrols?

- (2) Has the Government abrogated its responsibility to provide an appropriate police presence in the suburbs and a reasonable response time to calls for help?
- (3) Does the Government have an obligation to provide good police services to everyone in the community and not leave that responsibility to councils and ratepayers who can afford it?

**Mr DAY replied:**

- (1) I am delighted to hear that the City of Bayswater security patrol service has been successful and I congratulate it for the initiative it has taken. I have heard that it is possible that some insurance companies will reduce insurance premiums. I do not have any knowledge of the details. Any action in this respect would be a matter between the insurance companies and the City of Bayswater.
- (2) No, the Government is not abrogating its responsibility in providing good police services to anybody in the community.

Mr Graham: The police are supposed to patrol the streets.

Mr DAY: The member for Pilbara should allow me to answer the question.

Several members interjected.

Mr DAY: To continue -

- (3) Yes, I agree the Government has a responsibility to provide good policing services in the community and it is doing that.
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