

WESTERN AUSTRALIA



Parliamentary Debates

(HANSARD)

THIRTY-FOURTH PARLIAMENT
FOURTH SESSION
1996

LEGISLATIVE COUNCIL

Wednesday, 6 November 1996

Legislative Council

Wednesday, 6 November 1996

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 10.30 am, and read prayers.

PETITION - SENIORS' MOBILITY PROGRAM

The following petition bearing the signatures of 50 persons was presented by Hon Graham Edwards -

To the Honourable the President and members of the Legislative Council in Parliament assembled.

We, the undersigned residents of Western Australia are dismayed that the Government is withdrawing funding from the Seniors' mobility programs. The men and women who are referred by their doctor to participate are able to keep fit and well, saving costs in the health care system. We urge the Government not to defund this sensible and practical initiative.

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

[See paper No 837.]

MOTION - URGENCY

Joondalup Business District, Stagnation

THE PRESIDENT (Hon Clive Griffiths): I have received the following letter -

Dear Mr President

At today's sitting, it is my intention to move under SO 72 that the House at its rising adjourn until 8.00 am on December 7, 1996 in order to discuss the Government's apparent lack of commitment to the Commercial Business District of Joondalup, the stagnation of this District under current Government policies and the serious problem now confronting small business in the district as a result of current Government inaction.

Yours sincerely

Hon Graham Edwards MLC
Member for North Metropolitan Region

I am a bit concerned about the date and time. Hon Graham Edwards knows the form that this motion should take. The form is that it be at a time and date that this House would not normally expect to meet.

Hon Bob Thomas: Saturday, 7 December will be the election day.

The PRESIDENT: That is your speculation. It is not far removed from a date on which my diary suggests the House would be sitting. However, I only make the point. I do not know why members want to deviate from the normal. Perhaps it is done with a view to giving me a heart attack or something.

Hon A.J.G. MacTiernan: We are trying to make these last days exciting.

The PRESIDENT: I know, but I want to be here for the last days!

In order to discuss this matter, it will be necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

HON GRAHAM EDWARDS (North Metropolitan) [10.37 am]: I move -

That the House at its rising adjourn until 8.00 am on 7 December.

I have never supported the use of Christmas Day as the date that is used in this motion. For that reason I specifically wanted to change the date.

My concern at what I call the stagnation of the Joondalup business district has developed over time. That stagnation has not happened only in the past few months; it has occurred over the past couple of years. A couple of years ago I relocated my electoral office from Karrinyup to Joondalup, because that area needed the presence of someone from

my side of politics. When I first located to Joondalup a number of for lease signs were evident in that development. Gradually, those signs have been replaced by for sale signs, and the premises have remained vacant. For instance, the place next door to my office was vacant before I moved there and it is still vacant. It indicates to me that the Government's policies are not fulfilling Joondalup's potential. This issue started to come to a head over the last couple of weeks.

I now refer the House to a headline in the *Wanneroo Times*, a community newspaper, "Lakeside fights for its survival". For members who are not aware, Lakeside is the major shopping centre in the Joondalup area. This article appeared in a very conservative, well-respected newspaper under the byline of Merv Day, a responsible journalist who has his finger squarely on the pulse of what is happening in the northern suburbs, particularly Joondalup. The article reads -

Part owners of the Lakeside Joondalup Shopping City are upset that rival shopping centre Whitford City has plans for a major department store.

Community announced two weeks ago that Whitford City was planning for a 16 000 sqm two-level department store, an 8 000 sqm discount department store and 70 to 80 retail stores in a \$80 million expansion that would create 1 500 permanent and part-time jobs.

Armstrong Jones Management Limited is manager of the Armstrong Jones Retail Fund which is joint owner with LandCorp of Lakeside.

A letter to Wanneroo City Council mayor Arnold Dammers and councillors has asked for an opportunity to meet and discuss a number of issues.

The letter, signed by property funds general manager Nicholas Lyons, said ". . . allowing the inclusion of a department store at Whitfords would eliminate forever the critical mass potential of Joondalup.

"It would also retard for an estimated 10 to 15 years the ability to attract a further regional department store operator to Joondalup.

"This equates to a long-term expansion stagnation and will ensure Joondalup never achieves its full potential."

Mr Lyons' letter also spoke of the "utmost concern to ourselves, the tenants of Lakeside and the 8 000-plus unit holders in the fund we represent."

His letter continues: "What is of immediate concern is the current speculation that there may be imminent changes to the current planning policies, in particular the possibility of increased floor space entitlements being granted to allow expansion of Whitford City to include a department store and other retail facilities.

"The demographics of the north west corridor - this side of the proposed Alkimos centre - are unlikely to, in the next 10 years, support more than one major department store in the Joondalup-Whitfords locality.

"The location of that department store in Joondalup is considered essential to the concept of a city centre and is a part of the short to medium-term expansion strategy of Lakeside."

In Mr Lyons' letter he gives an update on Lakeside's progress.

- An exciting master plan exists to develop Lakeside from its current 27 000 sqm to more than 100 000 sqm.
- An announcement is expected shortly on the imminent addition of a six-screen cinema and restaurant complex (with the capacity to expand the cinemas to 12 or 14 screens).
- It is anticipated shortly thereafter there will be the addition of a further major discount department store.
- The master plan allows for at least two department stores and many discussions have already taken place with likely major operators.

Mr Lyons' letter also said his group originally invested in the Lakeside joint venture in 1987 because: "We were excited by the government's vision of a thriving northern commercial business district.

"The joint venture has committed \$90 million to date and will shortly spend a further \$14 million developing the cinemas.

"By the time the Lakeside master plan has been realised we expect to have committed about \$500 million to the region."

Mr Lyons said his group had not heard back from the council on his request for an urgent meeting.

"We sent the letter only on October 28, but if we don't hear soon we will be chasing them up," he said.

I obtained a copy of the letter referred to in the newspaper article, which I will quote to the House because it is important that people understand the depth of concern on this matter. The letter, from the property manager of Armstrong Jones Management Ltd, is addressed to Mr Dammers, the Mayor of Wanneroo City Council; it reads -

Dear Mr Dammers

Armstrong Jones is manager the Armstrong Jones Retail Fund. We write to you as 50% owners of Lakeside Joondalup Shopping City, an investment held in joint venture with LandCorp. The issues we wish to draw to your attention are of the utmost concern to ourselves, the tenants of the Lakeside Joondalup Shopping Centre and the eight thousand plus Unitholders in the Fund we represent.

We have no doubt our concern is shared by all commercial and business groups and other private investors who have heavily invested in Joondalup. It should also be of concern to the general public who have seen enormous public sector money invested into transportation and other infrastructure for a concept which has been planned and promoted as the second commercial centre to Perth.

You would be aware Joondalup is designated by way of adopted policies and strategies, prepared by the Department of Planning and Urban Development and adopted by the now named Ministry for Planning, as the Primary Strategic Regional Centre of the North West Corridor and the second commercial centre to Perth.

He continues -

Over recent years many groups, for various reasons, have sought to have amended, with some success, the adopted planning strategies of the North West Corridor. This is a continual source of frustration creating significant uncertainty for the many private sector participants who have invested in Joondalup and who have relied heavily on stated Government policies. It must also be disappointing to the general West Australian public who, by way of Government involvement, have also invested enormous resources and finances into the Joondalup concept and the implementation of associated infrastructure developments such as road, rail and bus systems and public buildings.

What is of immediate concern to ourselves and the many people who have invested in the WA Government's vision at Joondalup is the current speculation that there may be imminent changes to the current planning policies, in particular the possibility of increased floor space entitlements being granted to allow the expansion of Whitford City Shopping Centre to include a department store, and other retail facilities.

The demographics of the north west corridor, this side of the proposed Alkimos Strategic Regional Centre, are unlikely to -

That is the important point; it continues -

- in the next 10 years, support more than one major department store in the Joondalup/Whitfords locality. The location of that department store in the Joondalup City Centre is considered essential to the concept of a City Centre and is part of the short to medium term expansion strategy at Lakeside. This expansion is also critical to the successful integration of existing bus and rail transport facilities and to the general amenity of the community.

Any argument based on short term free market principles which result in an amendment of planning policy to allow the inclusion of a department store at Whitfords would eliminate forever the critical mass potential of Joondalup. It would also retard for an estimated ten to fifteen years the ability to attract a further regional department store operator to Joondalup.

This equates to a long term expansion stagnation and will ensure Joondalup never achieves its full potential. This will result in a great loss of opportunity and an under utilisation of existing transport and city infrastructure. It would also make it extremely difficult for both the public and private sectors to market and attract new investment into Joondalup.

It is imperative that a high level of awareness and certainty is promoted across both public and private sectors of the issue relevant to the success and ongoing development of Joondalup and we take this opportunity to update you on the progress of the shopping centre.

He then details some of the improvements included in the development application to which I earlier referred. The letter continues -

It must, however, be emphasised that certainty in the planning regime is essential to underpin the present and future development of Joondalup, not only as it relates to the retail facilities but the development of the City as a whole.

It further reads -

We originally invested in the Lakeside Joondalup Joint Venture in 1987 because we were excited by the Government's vision of a thriving northern commercial business district and the investment opportunity it represented.

He also outlines -

Should the Ministry for Planning's Metroplan, Metro Centres Policy or North West Corridor Structure Plan be compromised by considering or granting additional floor space to retail centres in proximity to Joondalup, it will severely restrict the ability for Joondalup to develop its potential as a true regional City Centre. Growth in the retail component is a catalyst to growth in all other City Centre components including commercial, professional, leisure and entertainment.

I particularly agree with the concept that a shopping centre must develop so the flow-on effects are felt in the rest of the business district, which is presently stagnating.

Hon Derrick Tomlinson: That was announced in *The West Australian*.

Hon GRAHAM EDWARDS: Yes, but it will not go ahead. If the planning amendments to which I have just referred go ahead, then what is planned at Joondalup will not go ahead, and that is exactly what Armstrong Jones is saying in the letter. That is the concern.

A few weeks ago the Labor Party had a shadow cabinet meeting in Joondalup and I took a number of shadow cabinet members through the central business district to the east of the railway line so they could see the number of for sale and for lease signs and the vast amount of empty commercial space. I also showed them the additional commercial accommodation being built. We met 30 or 40 local business people and they told the shadow Cabinet the concerns they have about the stagnation of the area. Little people in the shopping centre and small business proprietors outside the shopping centre are battling. The Government must stand up on this issue. There are very strong rumours around council that senior government members, including the Premier and the Minister for Planning, are keen to see the Whitford development proceed. If they are keen to see that happen, I want them to know what the results will be.

I am happy to be part of a group that endeavours to explain to the public, to the Government and to other decision makers what the impact will be if Whitford goes ahead. It is difficult for me because the whole area is in my electorate. It disturbs and concerns me to see family people, small businessmen and women, who have had some faith in Joondalup and the development of that area, putting their hard earned savings and future on the line as they endeavour to establish businesses. The area lacks a critical mass of people. When in government, the Labor Party installed the railway line, extended the freeway and built the arena. We are out of government and we accept that. However, this Government has done very little to ensure the realisation of the potential and the growth that promises so much in that area. A prime example of that approach is its dithering about the cinema. It was announced first that it would be at one site and then somewhere else. The Government must fast track the development application for Joondalup and ensure that it is approved. It should also ensure that a major department store such as David Jones is located at Joondalup.

HON E.J. CHARLTON (Agricultural - Minister for Transport) [10.53 am]: This issue was summarised by Hon Graham Edwards when he referred to the critical mass. With respect, the previous Government did many things in that area, but it must be acknowledged that it did many of them for political reasons.

Hon Graham Edwards: Get off it!

Hon E.J. CHARLTON: The critical mass was not there. The great encouragement and expectation which was promoted in the northern suburbs about what would happen at Joondalup and which was followed by private sector investment has not been supported by the critical mass.

Hon Graham Edwards: Has your Government been telling people that?

The PRESIDENT: Order!

Hon E.J. CHARLTON: I listened to the member.

The PRESIDENT: I will bring the show under control. We had a debate yesterday at about 85 decibels. I will make an application for compensation because I must put up with considerably more than 85 decibels and members will not come to order when I call for order.

Hon Tom Helm: Amend the regulations.

The PRESIDENT: There is only one thing for it, particularly if we keep going on like this. I ask Hon Graham Edwards to let the Minister speak, and in due course he might get an opportunity to respond.

Hon E.J. CHARLTON: We must have the critical mass. One common characteristic across Western Australia, including the metropolitan area, is that people tend to do their business in the more highly populated areas. Those living in the northern suburbs do not tend to go north to do their shopping; they tend to come south. The same applies in the south: People tend to come towards the city rather than go the other way. Not many people living in Rockingham go to Mandurah to do business; they are more likely to go to Fremantle or the more highly populated areas. That has been the situation at Joondalup. Until we get development north of Joondalup, providing an economic and viable scenario in that region, it will never be able to maximise its potential. I can assure the member that the Government is aware of the issues he has raised, and it has discussed them on a number of occasions. Members should keep in mind that it is not the Government that initiates private development deals, it is the private sector. The Whitford proposal is a private sector initiative. The member is quite right in saying that if the Government allows that proposal to go ahead, it will be detrimental to Joondalup.

Since this Government came to office it has facilitated a number of projects in Joondalup. For example, it has spent \$45m on the Joondalup health campus expansion. If the Government did not support Joondalup, it would not have gone ahead with that major investment. That sort of investment does not happen as a result of a decision made on the run. Significant research and planning was undertaken to ensure that the people in that region have the very best medical service. The Joondalup City North project involved the expenditure of \$10.5m and is another government initiative. It has also contributed to the Joondalup civic and cultural facilities with the provision of land valued in excess of \$3m. In addition, it has identified Joondalup City as Joondalup technology park, and the joint study to be undertaken by the Department of Commerce and Trade and LandCorp is likely to go ahead. The Government has been working on a number of other initiatives.

Hon Mark Nevill: It is certainly more than you have done in Tammin.

Hon E.J. CHARLTON: A statement like that does not do a man of the member's credibility any justice. Hon Graham Edwards is serious about his concerns in Joondalup and I am trying to respond on behalf of the Government in a serious manner. I would be very quiet about development in the country if I were Hon Mark Nevill, because the Labor Government plundered country Western Australia and weighed it down with debt and taxes and charges and withdrew road funding. This Government has tried to rectify the mess.

As far as transport is concerned, on 18 June 1995 the Government introduced the new transfer 485 route from Merriwa to the Joondalup interchange. That was what the people asked for and this Government provided it. That effectively doubled the number of services from the area north of Joondalup, and people to whom I have spoken welcome those changes. On 3 November, as a result of public demand, the Government introduced Monday to Saturday evening services between Clarkson and Merriwa and the Joondalup interchange. We have experienced a seven-fold increase in services and a doubling of Sunday services between Clarkson and Merriwa to the Joondalup interchange. We are planning for the implementation of a high quality, high frequency system 21, which I announced a couple of weeks ago. Additional services will be put on between Merriwa and Quinns Rocks via Marmion Avenue, and will operate very late at night on Fridays and Saturdays. Hon Graham Edwards mentioned the transport needs of that area. To be fair, we must acknowledge the additional services that are being put in place. If people read *The West Australian* newspaper to see that mentioned, they will be disappointed. That newspaper totally rejects anything that is positive and for the benefit of any sector of the community, no matter who puts it in place. I am not saying that attitude relates only to me or this Government. *The West Australian* never gives recognition to anybody who achieves anything positive; it is interested only in conflict and trying to stir up trouble between people. It is about time it started to be a good corporate citizen and became responsible, instead of writing rubbish about what it perceives is going on.

Point of Order

Hon GRAHAM EDWARDS: Mr President, I draw your attention to the content of my letter and the urgency debate. I suggest it has nothing to do with the Minister lambasting *The West Australian*.

The PRESIDENT: Order! That is not a .

Debate Resumed

Hon E.J. CHARLTON: The concerns of the member relate to a number of initiatives this Government has taken. I am making the point that they have never been reported because they are good initiatives and have been put in place to help the people in the northern suburbs. We are having discussions with LandCorp regarding the feasibility of introducing an internal distribution bus service within this regional centre. We want that to encourage people to come to the centre to do their shopping. We have never been able to do that with the regimented bus service that has been in place. We have always wanted to do this, but the cost is horrendous. Now we have an opportunity to put in place a number of initiatives that will encourage people to come to the centre.

A study has been undertaken on the feasibility of establishing a train station at Joondalup south. Hon Graham Edwards has mentioned that on more than one occasion. We want to proceed with the implementation of that initiative. The Government has a total commitment to undertaking these initiatives that will do that to which Hon Graham Edwards is committed to seeing happen. I respect his comments about his concerns. They are quite proper. However, it is also fair to recognise and acknowledge the initiatives that have been taken. This Government has already implemented initiatives in the region worth \$60m or \$70m to assist the community. However, we cannot force people to go to this regional centre; we can only encourage them to do so. Since we have been in government, we have endeavoured to encourage people to use these facilities.

In a debate that took place in this Chamber last week, we spoke about retail operations. People are no longer spending their money largely in retail activities; they are using it to go on overseas trips, holidays and so forth. They are not spending their money on day-to-day commodities that would be of benefit to the retail outlets in Joondalup. This Government is totally committed to the development of Joondalup. We want to see other developments take place there that will give us the required critical mass. When we achieve that critical mass, Joondalup will blossom. The development in Joondalup over the past few years was ahead of its time. There was a little too much development for the number of people in the region. It is a matter of trying to ensure the retail outlets can continue, and can take advantage of the significant upturn that will occur when all of these initiatives which have been put in place take effect. The \$45m investment in the medical centre will attract a whole range of associated infrastructure. As a consequence, Joondalup is on the eve of blossoming into a powerful economic centre within the metropolitan area.

HON I.D. MacLEAN (North Metropolitan) [11.04 am]: I welcome this urgency motion. It covers many issues that are important to the people in the northern suburbs. I was a little surprised at the negativity of Hon Graham Edwards towards the whole situation in Joondalup. I will cover some of the history that seems to have been overlooked. There are a lot of empty shops in Joondalup because of the requirement of the Joondalup Development Corporation relating to the construction of buildings. Contracts contained a forced acquisition clause that took effect if the construction of a building did not commence within two years of the purchase of the land, unless there was justifiable cause; for example, the owners of the tavern had a bit of trouble getting a licence and the time within which the building had to be completed was deferred.

The Government has expressed a great deal of concern about the development of Joondalup. A report was compiled by the technical and further education college that dealt with those concerns. In part, the report found that Joondalup lacked a central point. As Hon Graham Edwards pointed out, a large retail store is needed in the shopping centre as well as another attraction, such as a cinema, to encourage people to go into the central area of Joondalup. Development of any centre will be driven by the facilities that are built there. Before the law courts were built in the centre, no law firms were evident. Since the law courts were built, a number of legal practices have been located close by. Although a number of medical units were located in the area, with the development of the hospital, more auxiliary services will appear there.

As the shopping centre grows, more people will be attracted to the city's centre to use the other retail outlets. The Wanneroo City Council is still to finalise its al fresco dining regulations and until they are in place, there will be no heart to some of the buildings in the city centre. I refer to the headline in this morning's *The West Australian* "\$100m Joondalup boost". Hon Graham Edwards forgot to mention that.

Hon Graham Edwards: You had better show it to the Minister for Transport.

Hon I.D. MacLEAN: The Minister for Transport allowed me to read it out. It states -

The Lakeside Joondalup Shopping Centre will get \$100 million expansion if Wanneroo City Council approves plans by the centre's owners for a department store and 90 specialty shops.

Hon Graham Edwards: What if Whitford goes ahead? Haven't you listened to what I said is in the letter?

Hon I.D. MacLEAN: I allowed Hon Graham Edwards to read his little story; he should let me read mine. I am quoting from *The West Australian* newspaper, which is not always friendly to the northern suburbs. It continues -

Lakeside Joondalup's owners, Armstrong Jones and LandCorp, will lodge a development application with the council next week to double the size of the centre to 54,000sq m.

That relates to stage 2 of the project. Stage 1 of Lakeside Joondalup was its construction, and there are two other stages, plus the construction of a cinema complex. It goes on -

David Jones, which has been keen to return to Perth for some time, and Myer have been touted as favourites to occupy the proposed . . . department store.

Hon Graham Edwards: Do you think David Jones would go to Whitford and Joondalup?

Hon I.D. MacLEAN: It has not said it will not go to Joondalup yet. It was originally part of the major plan for Joondalup that a major store be located there. It is a commercial decision and no-one on this side will ever force a commercial decision on anyone, unlike some that have happened in the past.

Hon N.D. Griffiths: Just uncommercial decisions.

Hon E.J. Charlton: That is what you did.

Hon I.D. MacLEAN: The article goes on to say that approaches have been made to the Greater Union group for a cinema complex. That was originally proposed in 1994, but no parking facilities were available at the proposed location of the cinemas, and that would have led to increased traffic congestion in Joondalup and would have been of no benefit to the local stores. There was also a second proposal to put the cinemas over the railway void, which would have enhanced the shopping centre, but it was claimed that the engineering requirements of that proposal were too expensive for that type of development. Greater Union has put up a third proposal for a staged development. I have heard it will be a four to six screen complex, but it is reported in *The West Australian* that it will be two cinemas with an expansion to -

Hon E.J. Charlton: It is more likely to be what you said earlier.

Hon I.D. MacLEAN: I am led to believe it will be four to six screens and will be expanded to a regional complex of 12 screens. This is after a cinema complex has been built in Whitford City. I was on the council at that time, and it was claimed that the cinemas in Whitford would draw all the customers and there would be no demand for cinemas in Joondalup for 10 years, yet it is now proposed to build cinemas at Joondalup, and it has not even been 10 years. There is some poetic licence to the 10 year time frame.

Hon Graham Edwards failed to point out that a major problem with Joondalup was that there was no way for people in the surrounding suburbs to get to Joondalup. When we came into government, public transport was not available to bring people from Merriwa and Clarkson to Joondalup. The Minister for Transport has pointed out that we have increased the frequency of public transport services from Merriwa and Clarkson to Joondalup so that people can go to Joondalup by public transport to do their shopping and return home within a reasonable time. The Government's policy to bring people into Joondalup includes the proposal to double the size of Lakeside Joondalup Shopping City by going ahead with stage 2 of the development; the continued expansion of the hospital; the library, into which the Government has put some \$3m; the technical park, which will be part of the university and technical college; and the environmental initiatives that will be centred on Joondalup. Governments should no longer use the cargo cult mentality of putting facilities into an area and hoping people will use them. We have to encourage people to use facilities, otherwise we will end up with great monoliths which are half empty and a total waste of taxpayers' money. We would like people to go to Lakeside Joondalup and Joondalup City of their own volition because there are plenty of things to encourage them not only to do their shopping but also to use the other facilities that are available.

Some friends of mine have a shop in Joondalup. It is currently empty and has been since they were required to build it some two years ago. They want to have a coffee shop with al fresco dining, because they believe that will encourage people to visit their shop. At the moment, the shop is empty because they cannot get approval for that use and they do not have experienced people to run that shop. They are not prepared to put in more money to develop that shop.

HON P.R. LIGHTFOOT (North Metropolitan) [11.14 am]: I appreciate the opportunity of speaking on this urgency motion. I sometimes think that if Australia had its way and it could survive, it would choose to be a nation of shopkeepers. While I have no problem with that, we cannot realise the ambitions of all the people who want to invest in small business. I believe Joondalup has been a success story, in a net sense, and credit for that must go to successive Governments and not necessarily just a coalition Government. Hon Graham Edwards was circumspect enough to say there is an apparent lack of commitment to the commercial district.

Hon Graham Edwards: That word was used deliberately.

Hon P.R. LIGHTFOOT: Yes, and I commend him for saying that, otherwise one could argue more adversarially that it was an inflammatory statement, but it was not. There does appear to be a lack of commitment by someone somewhere, because there are empty businesses and shops in Joondalup. However, that is not necessarily a cause for concern. It seems to me, having spent a significant part of my working life in small business, that we tend to regard businesses today as something in which, if we had a choice, we would not get our hands dirty; we would not go to the coalface, literally or metaphorically, in the sense of working where our wealth starts. That view is probably wrong; it spills over not just into State and Federal Governments but also into local governments. Local governments would be wise to attract to their local authorities commercial businesses, and light industrial and even heavy industrial businesses, if it was appropriate, rather than encourage this concept of a nation of shopkeepers.

It is rather sad, to some degree, that Wanneroo missed out on the second airport. The reason that it missed out was simply that it was not politically expedient to locate the airport at Wanneroo because the people said, "Not in my backyard, thank you." I can understand that because, like everyone else here, I am in the people business, and I do not get too many votes from aircraft; I get votes from people. Therefore, I was not about to make a recommendation to the Minister for Transport that went against the wishes of the people of Wanneroo. However, if the Wanneroo City Council does not want the second airport to be located in Wanneroo, it should realise that the commercial ramifications are that businesses will not be established in that area to attract people to the shops to buy things, and people will not be encouraged to buy houses in that area because they are sick of having to travel long distances to get to work.

It is okay to say, "Not in my backyard, thank you", but what if the airport were 30 or 40 kilometres away? The argument would then be, "Aircraft will still fly over my suburb and I do not want that." People cannot have it both ways in this commercial world. We either produce something in Western Australia or we die commercially; and if we die commercially, perhaps the manifestation of that is empty shops and houses and people who are not going so well. We must strike a balance, and that balance cannot be predicated on stupidity or greed, on a "not in my backyard" mentality, or on not wanting to get our hands dirty. Affluence starts at the coalface, whether we take that metaphorically or literally. I do grieve for the people of Wanneroo who have invested in that area and who cannot see their investment making a sufficient return to enable them to stay in that area.

The Government has continued to foster LandCorp. The Government should not be in LandCorp. This Government does not have a history or culture of being involved in big business, and LandCorp is big business. The Government should get out of it and let business find the level at which it wants to operate or can operate. So long as LandCorp, a wholly owned government agency, is involved, there will always be criticism of this Government. The Government cannot have it two ways either. It cannot wash its hands of any failure or perceived failure, or any apparent lack of commitment, as Hon Graham Edwards said so truthfully in his motion, and at the same time say, "It is not our fault", if it is one of the big players in it. My advice to my Government is for it to get out of LandCorp as quickly as it can without losing any of the investment money the people of Western Australia have put into it; let the people who have had a century, or less, of experience in development get on with the job that they know best and let the Government get on with its job of governing and setting in place an environment for people in Joondalup and other areas to prosper.

The second airport would have brought tens of millions of dollars for the people in Wanneroo in the near future and hundreds of millions of dollars will now be prevented from going into the local government area. However, that is the choice of the people there. I represent those people: I do not represent myself or aircraft operators. The majority of the people did not want the airport there. That business could have been sustained and could have become a mirror image of Jandakot. Some people said, "God forbid." However, that industry has now bypassed Wanneroo. On my inquiries, it appears that upwards of \$1b could flow into Western Australia early in the next millennium from the training of overseas pilots. They must go somewhere. I have yet to recommend to the Minister where that should be, although I hope to have an answer for the Minister before Christmas or shortly thereafter.

I am not suggesting that there be a steel mill in Wanneroo; that is simply not appropriate. However, it seems appropriate to have a steel mill in Geraldton; a \$1.5b to \$2.5b investment in the Geraldton area, which has a population of 25 000 people. The size of Geraldton is about only 10 per cent of Wanneroo, but it is okay to have the steel mill there. The people in Geraldton have a different mentality towards investment. People will have to lower their sights in some of the sprawling northern suburbs that seem to emulate, to some degree at least, the western suburbs of Sydney - an area that every local authority has criticised.

I have a close friend who has invested in the city of Wanneroo. He proposes to employ 10 to 12 people in a high tech industry. However, because he needs a relatively large area, the City of Wanneroo says he must provide 312 car bays. He managed to reduce the requirement for the 312 bays for his 10 employees to about 110, but he still must provide 110 bays.

Hon I.D. MacLean: Plus he must put land aside for the other 212 car bays.

Hon P.R. LIGHTFOOT: Yes, although he does not have to put the black asphalt jungle there, the planning authority requires that he still put aside the land. This is in the City of Wanneroo, the acronym of which would not escape you, Mr President; it is COW. It is fairly appropriate, because it must be a cow of a department that says he must provide 312 car bays when he wants to employ 10 to 12 people. How will business be attracted to Wanneroo with that approach? I note that there is no punctuation in the acronym COW.

These are some of the problems that exist in Wanneroo, and we must get over them. I like to think that more autonomy should be given to local authorities for planning. However, it is utterly ridiculous for local authorities to say that 312 car bays must be provided for 10 to 12 employees. How can people be attracted on that basis, when not just the dead hand of government, but apparently now the dead hand of local government, is interfering with expansion? These problems must be addressed. On the one hand, the Government is due for criticism for being involved to the degree it is in Wanneroo through the Joondalup Development Corporation. It must get out of it as soon as it can. Perhaps then the Government will not attract the criticism, some of which is justified. On the other hand, the Government by and large has done a damned good job in developing Joondalup.

HON GRAHAM EDWARDS (North Metropolitan) [11.25 am]: I thank members for their comments. I am disappointed that government speakers, apart from Hon Ross Lightfoot, who seemed to be spot on with a couple of his comments, have missed the point. It is no good talking about the development application from Joondalup if the development application at Whitford will proceed and if the Government will change the ground rules to ensure that the Whitford development is approved. The Minister did not deny that the Premier and the Minister for Planning were keen on the Whitford development. I am sorry that he did not address himself to that issue. I am sorry also that he again tried to turn this matter into a political debate. Of course a political decision was made about the railway line. The decision had to be for either road or rail. The political decision was that it would be rail. It was the best decision the Labor Government could have made, and I am pleased we made that decision.

Hon Iain MacLean says that I am negative. I am not negative; I am concerned about those small business people who established themselves in Joondalup, believing that the area would get the departmental store and the cinema complex, only to see changes occur that would result in David Jones going to Whitford instead of being enticed to Joondalup. The Government should fast track the Joondalup Armstrong Jones-LandCorp development and ensure that it is approved without delay. The Government should also tell David Jones that successive Governments have made a long term commitment to Joondalup and that in the Government's view it would be better to locate in Joondalup. What the Armstrong Jones people say is correct: The catalyst for development in the Joondalup district is a successful major shopping centre and a complex that attracts people. From that a market-type environment will be created and people will flow over into other business developments.

That must be done as a matter of urgency. I am concerned that senior government figures suggest that the Whitford development could go ahead. I am concerned also about the effect that will have on the decision making processes of the City of Wanneroo and about its longer term impact on Joondalup. Joondalup by itself is nothing. It is the people there that are important - the little battlers, family people, and businessmen and businesswomen who have put their futures on the line. In many instances they borrowed money to establish business activity in that area in the belief that the Joondalup district would develop. That belief has been encouraged by the Government and government departments. It would be a shame if some of those government departments and instrumentalities changed the planning rules and allowed something to occur at Whitford that probably need not occur there. Whitford is already a big, bustling shopping centre. If the development application is approved, I am not sure what impact it will have on that area.

Hon Ross Lightfoot says that Joondalup is a success story. I do not think he is right; it has the potential to become a success story, and I believe that in time it will be a success. However, it is not that yet. It has some time to go. Hon Ross Lightfoot is right in saying that Governments create business environments. Governments can also destroy business environments. I share the view of many people in Joondalup who say that if this Whitford development goes ahead, the Government will have done much to destroy the future potential of Joondalup.

[The motion lapsed, pursuant to Standing Order No 72.]

APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)

Second Reading

Resumed from 5 November.

HON KIM CHANCE (Agricultural - Leader of the Opposition) [11.30 am]: I support the Bill, as will all other members of the Opposition. At this stage I will not be the lead speaker for the Opposition on this Bill, given that it is a finance Bill -

The PRESIDENT: The Leader of the Opposition cannot say that -

HON KIM CHANCE: If I used the wrong terminology, Mr President, I am sorry. I understand that the nominated lead speaker on any debate has unlimited time on the conduct of any Bill.

The PRESIDENT: Not if he speaks last.

HON KIM CHANCE: I am led to understand that the allocation, by convention at least, is that the nominated lead speaker can speak in any order -

The PRESIDENT: I will think about it. Do not let me use up your time.

HON KIM CHANCE: That is all right, Mr President. I am pleased to discuss it with you any time. I understand that the convention developed on the off chance that a lead speaker is not available when business arises. Conventions arise in many different ways.

The PRESIDENT: And they can very quickly be unconventional.

HON KIM CHANCE: During debate on this Bill last night Hon Doug Wenn gave the first of what could be called the valedictory speeches, on the assumption by him that it might well be the last time he speaks on a major Bill in this House. Unless my calculations are incorrect, it is appropriate for me to recognise that seven members of this place will not be present when the new Parliament is formed.

Hon Derrick Tomlinson: At least!

HON KIM CHANCE: There may be more, but I am not anticipating a number other than seven. As always, I acknowledge that I could be wrong - I frequently am.

Hon Derrick Tomlinson: The voters have their own opinions.

HON KIM CHANCE: They do, and it is a dangerous game we play when we try to second guess the voters. At the same time, it is a reasonable proposition to say that for one reason or another seven members will not be with us in the next Parliament. Three of those members we can reasonably be certain about, because they are seeking election to legislative districts in the other place: Hon Alannah MacTiernan, Hon Sam Piantadosi and Hon Iain MacLean.

Hon I.D. MacLean: You left the best to last.

HON KIM CHANCE: Perhaps. I understand that four other members are retiring at the end of this parliamentary year. I wish to speak about seven members at least; to include others in the list may be inappropriate because it is not certain they will leave this place, and they might be offended if I farewelled them and they came back. In respect of those members, obviously I wish them all well. However, I thought I should briefly note the appreciation of the Opposition of their contribution, and formally wish them well. Hon Alannah MacTiernan has served only one term in this Parliament. However, she has in that one term performed as one of the most effective members of the Opposition in either House. Without doubt, Hon Alannah MacTiernan is an extremely effective member and she will be a great representative for the people of the Armadale district.

Hon Derrick Tomlinson: They do not deserve her!

HON KIM CHANCE: I think they deserve each other!

Hon P.R. Lightfoot: We could see that comment in "Inside Cover" tomorrow.

HON KIM CHANCE: The people of Armadale are a fine group, and Hon Alannah MacTiernan will be a fine representative of that group. I also believe Hon Alannah MacTiernan will be a great representative not only of the people in her electorate but also of those people who form the core of the traditional Labor vote, as she has been for the past four years. If the Australian Labor Party has had electoral difficulties in recent years, it has been because we have lost our appeal to the people to whom we traditionally look for support. Very few current members of the parliamentary Labor Party in Western Australia - indeed in the Federal Parliament - could argue a stronger case for representing the core values of the Australian Labor Party than can Hon Alannah MacTiernan.

Hon Graham Edwards, a former Leader of the Opposition, has announced that he will be retiring at the end of this parliamentary year. It is fair to say that very few members of Parliament can claim to have served the Parliament for as long as Hon Graham Edwards, and to have made so few enemies either within or without the Parliament. Graham

has set an example of the highest standards of integrity, and each one of us has benefited from contact with him. I hope that contact will continue. Graham's achievements have been through his tremendous courage, hard work and a concept of unity that very few people fail to understand. Above all, he has always conducted himself at a level of the highest ethical standard. As I said, he has set a great example for us and for those who will follow him.

Hon Val Ferguson will be retiring, although I would like to think only temporarily, from Parliament this session. Hon Val Ferguson has a record of service to the Australian Labor Party and to the people we represent, which very few people are able to match. Over the years, Val has shown selfless, uncompromising dedication to the people whom Labor represents. I thank Val for her loyalty and her great service.

Hon Phil Lockyer will also be going into well-earned retirement - if one can call taking up farming retirement. It is probably stretching the imagination a little. It is almost trite to say that Hon Phil Lockyer is one of the most colourful members of Parliament. He has carried the flag for his party in a region in which the Liberal Party does not have majority support. I can identify with that, and with the difficulties involved in representing a minority party within a region, particularly one as large as his electorate - the Mining and Pastoral Region. I believe that Hon Phil Lockyer has carried out his duties with great distinction and that many people in the Mining and Pastoral Region will regret that his time to retire has arrived.

As I said earlier, Hon Doug Wenn gave his valedictory speech last night. I shared an office with him and Hon Tom Helm shortly after my arrival in this place. My first office was with Legislative Assembly members on the far side of the building. After I missed my first division in, I think, my third week, I was moved.

Hon Derrick Tomlinson: This is starting to sound very much like a valedictory speech.

Hon KIM CHANCE: It is not a valedictory speech; I am pre-empting those of other people. Hon Derrick Tomlinson is not far down on my list!

I was moved into the care of Hon Doug Wenn and Hon Tom Helm. It must have been good care because I have not missed a division since. Since that time Doug has been a particularly close colleague and a valued friend. In the electoral sense, as Hon Doug Wenn indicated last night, he did it tough coming into this place. He won a seat that everybody told him he could not possibly win. He secured a seat for Labor and his place in this Parliament by sheer hard work and dedication in his electorate. Inside the Parliament he has had a somewhat different role.

One of the things I think has marked Hon Doug Wenn's parliamentary career is his uncanny ability to turn an opponent's argument on itself. I can remember a number of times when he was able to wrong-foot a Minister. On one occasion he wrong-footed the Attorney General when he was the Minister for Health on an issue which rather caught the Attorney General by surprise. We will miss Doug for a number of reasons. High among them is that he has been a wonderful and loyal friend and I hope that will continue.

As I mentioned earlier, Hon Iain MacLean is another member who will seek election to the other place after serving one term in the Legislative Council. He will have a difficult, although not an impossible, task to win the seat of Wanneroo. Although I am unable to wish him good luck, I am sure that Hon Iain MacLean believes strongly in what he is doing and will always use his very best endeavours to represent his electors. Although I cannot wish him good luck, I know he will be in there doing his best; he probably does not need my message of good luck.

Hon Sam Piantadosi, whom I have known for many years, is also seeking to enter the Legislative Assembly next year. He has always been strongly dedicated to the welfare of workers and has traditionally been a great advocate for ethnic communities in Western Australia. It is a great disappointment to me that he lost confidence in the Australian Labor Party. However, despite that I thank him personally for his service to the Labor movement over many years.

I wish all members who will not be with us in the next Parliament well in the future and ask that they do not forget us. We would like to maintain contact with them as they move into new roles and new ways of life.

Hon I.D. MacLean: I can guarantee I will be around.

Hon KIM CHANCE: I am sure Hon Iain MacLean will be around.

I asked a question of the Attorney General representing the Minister for Health on 18 September which related to a change anticipated in meat inspection services in Western Australia. This matter has been concerning me for some time. I asked whether it was the intention of the Minister and the Health Department to gazette regulations which will so alter the responsibility for meat inspection that the meat processing operators - the abattoirs - will be able to employ their own meat inspectors. The Minister's answer was that that would happen. He indicated a date on which the gazettal would take place. I do not recall the exact date but I think it was December this year. I have asked a number of questions about meat inspection services in Western Australia, all either directly or peripherally associated with that proposed change. I oppose that change very earnestly. If we decide to proceed with it in the coming year,

we will regret it. Victoria has similar arrangements and other States may also have them. I say that I believe the change will be detrimental for many very good reasons.

Principally, meat inspection is a health inspection service designed to protect, in the first instance, the health of the Western Australian public and, in an export abattoir, our export reputation. My concern is with the smaller domestic service abattoirs. Over a number of years, we have had what can be described only as a series of scandals involving meat processors in not only Western Australia but also Australia. On the export scene, meat substitution rackets have involved the replacement of beef with meat from other animals including horses and donkeys. Some appalling fiddling of the rules has taken place within local abattoirs. Such has been the level of law breaking in this industry that, in the event of this change in regulations, I have absolutely no confidence that as a Parliament we can guarantee that the Western Australian public will be buying meat which meets required health standards.

I make no apology for saying that. Certainly many abattoir and other operators adhere to very high ethical standards. The sad fact is that too many, if the opportunity arises to break a rule, will break it, not once, but every day they can get away with it. One must only examine court cases where prosecutions have successfully taken place to see flagrant breaches of the law day in day out. This Parliament cannot tolerate any breach of the laws since its task is to ensure laws are framed to properly protect the people of Western Australia. In light of the history of the meat industry, it is dangerous and silly to assume, and it cannot be justified by the facts, that the meat industry is fit to control its own health regulations. I give an indication of that from a statement I have received only a week ago from an abattoir worker about the conditions in a Western Australian abattoir. I have removed from the statement any reference to the name of the abattoir or any person connected to it because it is not appropriate at this stage to reveal them. Also, I will send a copy of the full statement to WorkSafe Western Australia and the Health Department. This statement indicates what is happening in this abattoir which, incidentally, has quite a good reputation -

Following is a statement explaining the unsafe workplace and unhygienic workplace practices carried out by . . . Abattoirs.

They claim their animals are killed with minimal stress, and under safe working conditions we have pointed out facts to disprove their claims.

Sheep

The sheep are unsettled as they often arrive straight off the truck to the slaughterhouse, not left over-night as they claim. They have full stomachs when killed which causes a defect called ingesta.

Sheep are supposed to be spaced at 25" intervals, and they are being bunched together between 1st and 2nd legger causing cross contamination by faecal material and fleece dirt on the sheep's legs. The same policy is supposed to be carried out between second legger and pelter and is not being carried out.

The sheep often fall off or kick themselves off the kill table and end up in the blood bath. Even live sheep that jump off the kill floor (table) are dragged back up onto the kill table. They are not hosed off and are covered in blood, causing contamination.

Fly-blown sheep are not crutched and sheep are often riddled with maggots.

Sheep are often falling off the rail between 1st leg cross over and from 2nd leg to palters -

I am not sure what that means.

Hon Barry House: It must be nearly lunch time.

Hon KIM CHANCE: It continues -

- causing contamination, and are then being placed straight back on the rail.

Sheep are left in the restraining pen on all breaks which is stated in the manual as a definite thing to be avoided.

The stated safe limit of sheep to be killed is 65 per hour.

Presumably that is the requirement in this abattoir. It continues -

That limit is always being broken. Often the number being killed is between 150-200 sheep an hour, with only one health inspector overseeing the kill.

The sheep lambs and hoggets are not having their teeth checked to determine their age, which could mean they are passing hogget off as lamb.

Pigs

Pigs are often restrained in suspect pen at breaks and overnight before the kill. The suspect pen should only be used for suspected contaminated animals, not just for the convenient restraint, which could cause contamination for the pigs.

Beef

Cows arrive during the day of kill and are unsettled. They are often shot 5-6 times by the bolt gun as it doesn't work properly. Then they resort to the rifle gun if all else fails, causing lead to enter the carcass head, and they use tongues from the beef to sell.

Workplace

The sticker often receives electric shocks from stun guns, as they repair the stun guns themselves, and no one is qualified to fix the stun gun, as they should have an electricians ticket.

. . . and . . . also do the maintenance of the fork lifts, neither of which have fork lift tickets. Also labourers driving the fork lifts have no licences.

There is no safety officer on the kill floor, and employees must find their own way to the doctor or hospital for any stitches or injuries. The first aid box is extremely inadequate, and not kept on the kill floor. The first aid box consists of insulation tape and medi-swabs. There are no band-aids, cloth bandages, or heavy cloth pads for serious cuts.

There is no sterilisation for hooks and gambles, and the kill floor sterilisation sink doesn't work properly. The high pressure hose that is used to wash down the kill floor, walls and blood bath, is brought from outside being dragged through sheep faeces along the way. The blood bath is often getting blocked up.

The sheep legging table is very uneven. It rocks and moves and is too high. The pelting table also moves and has gaps in it. Pelters are often banging their elbows when removing the skin off the animal on the new sterilisation sinks which are inconveniently placed.

Hon Barry House: Will it be lamb cutlets for lunch?

Hon KIM CHANCE: I hope not, certainly not if the lamb comes from this abattoir. It continues -

There is a big hole in the pelting floor where old sterilisation sinks have been removed, and pelters are often falling onto the holes.

The A frame itself is a serious concern for cross contamination as the A frame should be washed regularly. But the sheep are being put on the unwashed A frames all day.

The stainless steel trap doors used for sheep guts and hide removals are often jamming, causing injuries to the labourers by causing their arms to get caught, often requiring stitches.

The beef stand is about 4 feet in the air, and the floor is extremely uneven. The beef stand legs are placed perilously close to a big strain hole in the floor, making it very hard to keep your balance. You are constantly worrying about the leg of the stand falling into the drain hole. The beef saw is extremely heavy making it even harder to keep your balance on the rocking beef stand. The cord wires of the beef saw are extremely perished, insulation tape is used to cover the perished wires, the wires seem like they are causing electric shocks to the operator jerk. On occasion the beef saw has shorted out the entire meat works due to the perished wires.

Electric chains for lifting beef are not sufficiently greased and often jam.

Once the second chain which is a massive bar with hooks on either ends fell down nearly hitting an employee as it fell to the floor. If it had hit the employee, it could have killed him.

Once the hot sterilisation system broke down, which should have immediately stopped the chain. The health inspector was informed and he told the men to keep working using cold water.

Gut trays are used continuously and washed only at breaks.

In the freezers, the required amount of space between carcasses is not being met. The carcasses are bunched together, which leaves no room for air to circulate between the carcasses.

The stun gun is constantly set at 400, when it should be set at 200 for lambs, 300 for mutton and 400 only for pigs.

Green River wooden handled knives are being used, when it has been proven they cause contamination, plastic knives only should be used.

The PRESIDENT: Apart from that, everything is all right!

Hon KIM CHANCE: The reason I have brought the matter to the attention of this House, and will raise it with the two agencies to which I have referred, is that the workers at this abattoir - it is a non-union organisation - have raised the matter with WorkSafe Western Australia and the health inspector, and I presume with the Health Department of Western Australia. The health inspector has looked at the conditions complained about. The difficulty is that the abattoir is notified the day before the inspector's visit. Therefore, on the inspection day the kill chain, which was running at 200 sheep an hour instead of the specified 65 an hour, is slowed down. All of a sudden the cleaning requirements under the health regulations are complied with because the kill rate is slowed down to such an extent that it is possible to do so. When the inspector visits, everything looks reasonably good. The inspector writes a couple of notes for minor defects and goes away, and the next day the kill rate increases to 200 an hour again and the same problems arise.

I hope that my raising it in this manner and my raising the full text of the complaint with those two agencies will bring the matter to a head because they are not conditions which should be allowed to exist in any abattoir in the world and certainly not in an abattoir in Western Australia. However, I also raised it for the other obvious purpose; that is, to illustrate the point that that abattoir and probably other abattoirs in Western Australia are not fit to employ their own health inspectors. Health inspectors must be appointed from outside.

The PRESIDENT: I will not suspend the sitting until 12.30 pm.

Hon KIM CHANCE: I see. It was the way you looked at me, Mr President. I thought you were going to say something to me.

The PRESIDENT: I will say something. At the beginning of the member's speech there was some query about the status in which he was speaking. I indicated then that I was concerned that the member had indicated there was some sort of convention. If there is some sort of convention, it is a convention I do not know about. If, inadvertently, some members believe there is a convention, I want to repair that inadvertent belief. Members should bear in mind that I am not always in the Chair. Other people occupy the Chair from time to time and when I come back I do not know what has been done. However, the standing order is very clear. Ministers or members in charge of the business - in this instance, a government member - does not include somebody on the opposition side who is responding to the business. Conversely, if it were a private member's Bill, the person who introduced the Bill would get unlimited time and only the leader of the Government or one Minister would get unlimited time on the other side.

The standing order goes further than that. It points out, particularly in regard to a Bill that this House cannot amend, of which this happens to be one, that nobody gets any more than 60 minutes. The clock has been turned off because of that mess up in the beginning. I did not want to prejudice the member's opportunities. Because I have switched off the clock, I have taken this opportunity in the middle of the member's speech only because he hesitated and gave me an opportunity to get in. Convention or no convention, belief or misbelief, this rule is very clear. On a Bill that this House cannot amend, nobody, including the Minister or the Leader of the Opposition, gets more than 60 minutes.

In regard to other Bills, a Minister or a member in charge of the business, the Leader of the Opposition, the leader of the National Party, or any member speaking on their behalf gets unlimited time, but not two people. If the Leader of the Opposition speaks, he cannot have somebody else speak on his behalf. Therefore, the comment that the member made at the beginning when he said that he was not the lead speaker intrigued me, because that did not matter to me. The only person, if it were not a Bill that this House could not amend, who would get unlimited time would be the Leader of the Opposition, or, if he were not going to speak, somebody who would speak on his behalf. I hope all honourable members remember that. It may be that, inadvertently, some people feel that the Leader of the Opposition can speak, plus somebody else who might be, to use the term that does not appear anywhere in the standing orders, a shadow Minister. That is not the situation.

I have switched off the clock. It was easy to switch it off because the member started at 11.32 am. I have used up about six minutes. The member has six minutes after 12.32 pm. I hope the member understands. I did not interrupt him while he was making his speech. I interrupted him only when he stopped.

Hon KIM CHANCE: Thank you, Mr President. When I look up and see you looking like you want to say something, I am always ready to listen, Mr President. I thank you for that advice because it is something about which I was not

aware. I think we had all made ourselves fairly comfortable with what we deemed to be a convention. It often makes me wonder where conventions come from. I think the convention is what people feel comfortable with at the time. Whether conventions are in conflict with the rules is another matter altogether.

I am deeply concerned about the proposition that abattoirs will be permitted to employ their own meat inspectors. It will be a terrible mistake. I have no confidence whatever in the assurances that I have been given by the Minister that the regulations will be such that Western Australian consumers can have confidence that health regulations in the meat industry will be complied with under that regime. I have no knowledge at all of the experience of that system in the other States, except to the extent that I asked a question in this House regarding a visit by Western Australian meat inspectors to, I think, a South Australian abattoir where a meat inspector who did not have qualifications that would be accepted in Western Australia to carry out the function was seen working. I hope I have not made a mistake; perhaps I should not have identified the State. However, I hope that this State would not contemplate importing meat from that State or from whatever jurisdiction in which the practice was observed until we could be satisfied that people employed as meat inspectors, regardless of who the employer is, have qualifications which are equivalent to the qualifications required for that task in Western Australia.

I note, and I am sure that the meat industry would share my view, that mutual standards between the state jurisdictions are highly desirable in order to ensure that we have a national meat market that is as seamless as possible. I have no confidence that this proposed regulation is the right way to get there. I have no confidence that the meat industry will be able to perform to the standards that we expect of it when an abattoir will be monitored for health purposes by an employee of the abattoir operator. I will not name the abattoir, but in one quite recent court case a conviction was recorded and, therefore, it is a matter of record. In that case it is clear that a considerable amount of pressure was placed on the health inspector, even though the health inspector was employed by the local government authority, to bend to the wishes of the abattoir operator. The demands made by the abattoir operator were illegal. They involved fraudulent behaviour and other action contrary to the laws of Western Australia.

A side matter to that issue involves industrial relations in that abattoir. I raised the issue in an adjournment debate two weeks ago. It relates to the nature of a workplace agreement that was signed by a slaughterman at that abattoir. At that stage I referred to the fact that the workplace agreement contained on its last page a memorandum of understanding between the employee and the employer that the offer of employment was entirely conditional on the employee's acceptance of the workplace agreement. I want members opposite to think about this very seriously and not to forget the Supreme Court decision in the Novek case. The court ruled that to put to a person that his employment may continue only on the basis that he sign a workplace agreement is an illegal act. This situation is slightly different. This memorandum of understanding says that the person's employment will not even start until a workplace agreement has been signed.

I received this two weeks ago. I spoke to the employee for the first time this week and asked him what were the circumstances of his signing this agreement. He said, "We were brought into an office. This was put in front of us and we were told that we had to sign it." I asked "In what way did you have to sign it?" He said, "We could not start work until we had signed it." He suggested to the employer that he take the agreement away and consider it overnight, and perhaps talk to his wife about it. He did not indicate, although he has the right if he wishes, that he wanted to seek legal or other advice on the nature of the agreement. He was told that would be illegal and that he could not take it out of the office, seek advice or consult any person on the nature of the agreement. This document was stamped by the Commissioner of Workplace Agreements on 4 July 1996. The Novek case was ruled on after that date. However, it strikes me that there are employers who, perhaps because they do not understand the law, are putting employees in a position where their rights are being limited. I hope members opposite are very concerned about this.

One of the arguments of which the Minister tried desperately to convince us in 1993 when the workplace agreements legislation went through was that all the legislation did was to provide a means of choice for employers and employees. We had this lovely picture of a meeting of minds between Coles Myer Ltd and a 15 year old shop assistant and that the 15 year old shop assistant was able to convince Solly Lew of her need for an additional 10¢ an hour. We knew then that nobody really believed that. I do not think the Minister believed it, but at the same time he had a feeling that there would be some concept of choice and that the introduction of workplace agreements was not to limit people's options but to broaden them. That is not true. From this case and the Novek case it is clear that employees do not have any choice other than not take the job. When unemployment is running at 7.5 per cent, a slaughterman, labourer or anybody else who works in that kind of field will not take the option of walking away, if the choice is to go back on the dole. I like to think that government members would want to have a good hard look at the legislation, particularly in the light of the probability of the federal industrial relations legislation being ultimately carried in the Senate in the form that we believe has been negotiated after the talks with the Democrats.

One of the outcomes of the federal legislation may well be that the Government will have to reintroduce state legislation for amendment, so that it will complement the new federal laws. Of course the amendment the

Government will have to look at it that in the event of a workplace agreement being signed under the state law it shall contain a no disadvantage clause, in the same way that the federal legislation seems almost certain to contain one. We put very strongly in 1993 the argument that there should be a no disadvantage clause. It was a principal component in the Labor Government sponsored legislation which introduced the concept of enterprise bargaining arrangements. It is a perfectly common sense clause to have in any legislation which presents itself to promote greater flexibility in the workplace. If we do not have a no disadvantage clause, inevitably any new arrangements will work to the detriment of somebody.

If new legislation is introduced for workplace arrangements, it is essential that the agreements are beneficial to both parties. We heard Hon Peter Foss repeat ad nauseam the win-win scenario. That cannot exist in the absence of a no disadvantage clause. I hope that over the forthcoming break any future Government will have a good hard think about the appropriateness of introducing a no disadvantage clause. I noted particularly about the workplace agreements legislation that although we gave certain powers to the Commissioner of Workplace Agreements, we refused to give him the power to refuse to register an unfair workplace agreement. That seemed to be the most fundamental power that we should give the Commissioner of Workplace Agreements to apply. If an agreement is not fair, why should the Commissioner of Workplace Agreements not be able to say, "No, I will not register this; I think you should do this, that or the other" and to send the agreement back to the parties who could ultimately determine whether they wanted to amend the document or throw it out and start again or to discuss the matter with the Commissioner of Workplace Agreements. One way or the other it is most important that the commissioner have that power to refuse registration to a document if he believes the agreement is unfair.

I will raise another workplace incident and, as we are drawing closer to lunch, members will be pleased to hear that this has nothing to do with abattoirs. This incident concerns a Westrail worker. Members will be aware that the Opposition has raised in question time, in the main, the case of Mr Craig Harris, a Westrail worker currently based in Coorow, a wheatbelt town within my electorate. Mr Harris has worked for Westrail for 22 years without ever having a dispute with his employer. He bought a house in Carnamah and has been there for some time. He is married and has three very young children. His sick mother and his brother, who is blind, also live with him. It is uncertain how long his mother will live; I hope it will be for many more years. However, when his mother is no longer able to live with him he will have the entire responsibility for his blind brother's wellbeing. His position at Coorow was placed in doubt following the restructuring of Westrail under the Right Track program. He informed Westrail in the processes that naturally follow the implementation of the Right Track program that he would accept redeployment, but only in Perth or Geraldton in view of his housing situation and his commitment to his mother and brother.

Craig Harris attended a meeting in Geraldton of about 100 Westrail workers that was addressed by the Commissioner for Railways, and afterwards met the commissioner. At that meeting the commissioner, among other things, said that the interests of the employees was Westrail's No 1 priority and that in the processes which would be involved in their shifting from one job to another by redeployment, retraining or moving over to a private sector employer, none of them would suffer any financial inconvenience. After the main meeting Craig Harris spoke directly with the commissioner. He told the commissioner of his particular circumstances and then followed up that conversation with a telephone call to the commissioner's office. He spoke on that occasion to a Mr Martinovich. He suggested to Mr Martinovich, who is part of the personal staff of the commissioner, that Westrail should buy his house in Carnamah and sell him a Westrail house in Geraldton. He was given, as he understood it, a verbal agreement by Mr Martinovich that Westrail would buy his house in Carnamah for \$50 000 and sell him a surplus Westrail house in Geraldton for the same price, provided he took redeployment and left Westrail. At that time the Ministry of Justice in Geraldton was recruiting and training new employees. On that basis Craig Harris began a training course for prison officers. He told his family that they could join him after six weeks. However in the last week of the six week training course he was advised that Westrail wanted the market value of \$90 000 for the house in Geraldton.

I need to go back a little in history. For years Westrail had an arrangement, which I thought was a particularly generous one, to assist workers who had purchased a home in a particular area because of work commitments, where Westrail wanted to move workers to another area because of its changed circumstances. This happened often in my home town of Merredin. A hypothetical example is a locomotive driver being transferred from Westrail's Merredin operations to its Kewdale operations. The driver's house in Merredin was unlikely to be valued at more than \$35 000 or \$40 000 - the median price of houses in Merredin - and it was unlikely that a house close to Kewdale or Forrestfield could be purchased for even double that sum. Westrail's arrangement ensured that its employee was located in an equivalent house to that which the employee owned in Merredin. Westrail undertook to negotiate the sale and to reimburse the Westrail employee for the difference between the prices of the two houses. If a house in Kewdale cost \$70 000 and he could sell his house in Merredin for only \$40 000, Westrail would make up the \$30 000 difference. It was a generous scheme and it worked well. I did not notice that it did Westrail any harm. That was the basis of the offer that was made to Craig Harris. Even though that scheme was dropped by Westrail in recent times, Craig Harris had every reason to believe the offer made to him was in line with what had been formerly

Westrail practice. Two days before the completion of his retraining course with the Ministry of Justice he was told that he should accept Westrail's offer of \$50 000 for his house and buy a house in Geraldton; however, the price of the house would be at the market value of \$90 000. Having received a personal assurance from the commissioner that he would not be financially disadvantaged - we know from a question asked in this place that a ministerial officer was party to the conversation and has confirmed the nature of the conversation - he has found that he will be financially disadvantaged. If Mr Harris sells his house in Carnamah for \$50 000, he must pay another \$40 000 to buy a house in Geraldton. Craig Harris thinks that he has been led down the garden path on this, and I think he has good reason to believe that.

We can argue about what he was told on the telephone by Mr Martinovich. However, Craig Harris strikes me as a truthful man. His evidence of the conversation he had with the commissioner has been supported by the ministerial officer present at that meeting. It seems that if there is a loophole here, it has been no more or less than Westrail's taking advantage of an exercise in semantics so that the term "financially inconvenienced" means something other than what we would normally expect that term to mean in common English. The fact is that despite the assurance that he would not be financially inconvenienced, he will be financially inconvenienced; his whole family will be financially inconvenienced. It has placed Mr Harris in so much difficulty that, for a number of reasons, he has not taken up the employment offer with the Ministry of Justice. To be entirely fair, Mr Harris did fail a fitness test. However, he feels that he failed by only a marginal amount. He struck me as a fit, healthy, strong young man and he would have no difficulty with a little training in meeting the fitness standard.

Sitting suspended from 12.30 to 2.00 pm

Hon KIM CHANCE: The outcome of the current arrangement is that Mr Harris feels to this day that he was made on offer, which he accepted in good faith, by Westrail which was entirely consistent with a longstanding arrangement; namely, to make up the value of the house if a home-owning employee moves from the country to a more populous centre and must purchase a new home. He believed the agreement was valid, but it was withdrawn by Westrail. I have raised the matter with a ministerial policy officer from the Minister for Transport's office. I received a response on this matter in writing yesterday from the Minister for Transport. I need not go through the letter in its entirety. However, it contains a couple of paragraphs which put the Minister's point of view. To balance the case I have outlined, I will read at least two short paragraphs from the Minister's response to my letter of 31 October 1996; it reads -

Mr Harris owns a house at Carnamah where there is an oversupply of housing and little demand. The best offer Mr Harris could attract for his home is understood to be around \$25 000. In the circumstances, as a special case, the Commissioner of Railways himself approved of Westrail purchasing Mr Harris's Carnamah home for \$50 000, and indicated preparedness to sell to him a surplus Westrail house at Geraldton at market value. This arrangement was to apply regardless of Mr Harris's future employment with Westrail. The Commissioner met with Mr Harris and personally informed Mr Harris of this offer.

Subsequently, Mr Harris claimed he was told by a Westrail officer -

I assume Mr Martinovich -

- that he would be paid \$50 000 for his Carnamah house and be sold a house at Geraldton for \$50 000, i.e. a swap, which was not the case.

The letter continues with other matters which are not necessarily disputed. I accept that there is a difference of opinion, and not being party to any of the conversations I cannot say whose opinion of what was said is correct. However, I am inclined towards Mr Harris' point of view, believing his account that he was given the undertaking that he would face no financial disadvantage should he contemplate that move. I have two reasons for saying that: First, a ministerial officer was present at the conversation in question and, second, because such an arrangement has been longstanding Westrail practice, even though the housing exchange adjustments system - its descriptive name - ceased some time ago.

I am glad that the Minister for Transport was here for at least part of my speech. I am not critical of the Minister, as he and I are in the same situation: Neither of us was party to those discussions and neither of us can state with any certainty what was said in the telephone conversation between Mr Harris and the Westrail officer. However, I ask the Minister to take another look at the situation because Mr Harris has decided to stay with Westrail. He was been posted in a relief capacity to work out of Merredin, which is many hours travel from Carnamah. His wife has not been well - she is suffering from heart strain - and they have three young children, his brother is blind and needs care, and his mother is not well and also needs care. Mr Harris is in an extremely stressful situation. I am sure Craig Harris can take that, but it is imposing massive unnecessary strain on his family. I would genuinely appreciate the

assistance of the Minister to try to resolve this situation. Mr Harris is a truthful man. A misunderstanding may have occurred, and I hope this matter can be resolved.

In the limited time remaining, I will comment briefly on the management of the House. It has been indicated to me that we will not be dealing with the three Bills forming the mental health legislation during this week. I am deeply concerned about that. I would appreciate an indication from the Government when we will deal with the three mental health Bills.

Hon N.F. Moore: We will deal with them tomorrow if you like.

Hon KIM CHANCE: The community expects that we will deal with these Bills during this session.

Hon N.F. Moore: We are happy to deal with them tomorrow - I never said that we would not do them tomorrow.

The PRESIDENT: Order! The member has three seconds remaining.

Hon KIM CHANCE: I appreciate the Minister's offer in that respect.

Debate adjourned until a later stage of the sitting, on motion by Hon Muriel Patterson.

[Continued on p.7888.]

IRON ORE (YANDICOOGINA) AGREEMENT BILL

Second Reading

Resumed from 31 October.

HON KIM CHANCE (Agricultural - Leader of the Opposition) [2.09 pm]: It is unnecessary, given our recent conversation, to say that I am not the lead speaker on this Bill!

Hon Derrick Tomlinson: But you are always prompt!

Hon KIM CHANCE: The Opposition supports the Iron Ore (Yandicoogina) Agreement Bill. Legislation of this nature passes through this House on a number of occasions to create agreement Acts which provide legislative support for new mining projects. Most recently, we have seen iron ore projects facilitated by the use of agreement Acts, and the system appears to work extremely well. Iron ore agreement Acts have facilitated some extremely complex problems. One that comes to mind is the Marandoo operation, which involved a highly complex set of circumstances because a number of other Acts were affected given the location of the mine.

I wanted to speak on this Bill, but not at this stage. I have a number of concerns in respect of what is happening in that part of the Pilbara, although the Yandicoogina area is probably not affected as badly as some. I have been speaking in recent weeks to Mr Ray Kennedy of Roy Hill Station about an environmental problem affecting that area. On the evidence that he has been able to present to me, I can understand why he feels that the situation might well be attributable to iron ore operations. He first raised this issue some years ago, and at that time he indicated that he felt the difficulties were largely confined to that part of the Fortescue flood plain on Roy Hill Station just below Ophthalmia Dam, roughly at the conjunction of the Jigalong River. He believed the situation was the result of the construction of the dam, although some years prior to its construction a toxic flush came down the river and Mr Kennedy assumed that it came from the mine. It caused significant tree deaths on the river's edge, if not across the flood plain as a whole. I have seen a report containing graphic illustrations of tree deaths on the Fortescue flood plain. However, I have also seen photographic evidence of the difference between the health of the Fortescue flood plain - which now very rarely, if ever, floods as a result of the construction of the Ophthalmia Dam - and the neighbouring Jigalong flood plain, which is unaffected. The degree of regrowth and the general health of the environment on the Jigalong flood plain is far better than that on the Fortescue flood plain.

Unfortunately, I have not been able to inspect the area concerned. I originally thought that I would be able to visit the area during this week, which was gazetted as a recess week. I want to spend some time looking at the area Mr Kennedy has described. He has indicated that the tree deaths are not confined to the flood plain area; the problem has now spread to mulga country across a very wide area. I asked him to describe the size of the area, and he said that it is not stretching it too far to say that it extends from Roy Hill Station almost to the Chichester Ranges down to Tom Price and across to Coomarina. That is a vast area, but within that area are patches of land well outside the flood plain experiencing an unusual and significant level of tree deaths. When I asked Mr Kennedy why he thought that was occurring, he said that he did not know; he is a pastoralist, not an environmentalist or scientist of any kind. He also said that these tree deaths seem to be associated in some way with the mining operations. I do not know whether that is true; I have not been to the area to see what is happening. Mr Kennedy says he does not know the cause, but the problem is widespread and the photographic evidence I have seen indicates that it is devastating. I

have seen two sets of photographs of the same area taken about three years apart, and the level of tree deaths in the area was virtually 100 per cent. These are big trees on the flood plain itself.

The other issue of concern is that the perennial grasses indicated in the 1990 photographs had completely disappeared and had been replaced by annual species by the time the later photograph was taken. I can give only my impression of what I saw, but the closest I have ever seen to destruction of that speed and scale is a very rapid rise in the saltwater table in the wheatbelt. I am not suggesting for one moment that that is the case at Roy Hill Station. However, it is clear from these photographs that something very dramatic and severe has happened in the environment. I am anxious to get into the area, along with the shadow Minister for the Environment, to see for myself the extent of the damage.

Hon N.F. Moore: You might take Mr Bridge, because I wrote to him 27 times when he was Minister asking him to look at the problem. He said there was no problem.

Hon KIM CHANCE: I have not spoken to him about it. It is outside his electorate and he is no longer the shadow Minister for Water Resources.

Hon N.F. Moore: He was the Minister for Water Resources and many letters were sent to him by me and others, including the Kennedys, and he always said that there were no problems. You should talk to him.

Hon KIM CHANCE: I am interested that the Leader of the House is aware of the problem.

Hon N.F. Moore: I am very much aware. Go and have a look.

Hon KIM CHANCE: I intend to go there as soon as I can. Perhaps I am being a little impetuous raising this issue in the context of an iron ore agreement Bill, but because it is a matter of urgency I feel sure the President will allow me a little latitude, as he always does.

If there is a problem, and it appears that there is, we must find out urgently what it is. If it is linked to iron ore operations, and we do not know that it is, we must find out how and try to mitigate the effect. If it is not linked to iron ore operations, similarly, we must establish that and try to identify the cause. However, it seems convenient at this stage at least to begin with the principal change in environmental management in the area; that is, the establishment of iron ore operations.

Hon N.F. Moore: The Kennedys believed it was the Ophthalmia Dam or the Fortescue River.

Hon KIM CHANCE: They did believe that.

Hon N.F. Moore: Are you saying that they have changed their minds?

Hon KIM CHANCE: On early indications, they had every reason to believe that. The photographs I have seen of the difference between the Fortescue flood plain and the Jigalong flood plain on the same station and under the same management were pretty stark evidence that the dam was the problem. However, one cannot blame the dam for tree deaths in mulga country far from the flood plain. It indicates that perhaps there is another problem, possibly linked to the nature of dust particle emissions from the mining operations, that must be investigated.

I have placed some questions on notice concerning the status of the McRae shales from the BHP operations at Newman. At this stage, although I have had some answers, I am still waiting for a couple more. I am concerned about what is happening there. I am pleased the Leader of the House is aware of this issue and hope that in the near future we can begin to determine what the difficulty is.

HON MARK NEVILL (Mining and Pastoral) [2.20 pm]: This Bill is to ratify an agreement between Hamersley Iron Pty Ltd and the Government. We have been overly generous and considerate to iron ore companies during the past couple of decades in respect of downstream processing. It is a contrast to say that a company such as Kingstream Resources NL can put together a project - potentially the first steel mill in this State - which is taken seriously in the Geraldton area, using resources from the Murchison area that were originally exploited by Western Mining Corporation Ltd as the first iron ore exports in this State. Twenty years ago there was talk of a jumbo steel mill in the Pilbara, which we have never seen. A couple of pellet plants have commenced production, but they have subsequently folded.

In recent years, particularly the past two, we have seen a fairly massive expansion in our iron ore exports. That concerns me because an expansion of between 10 per cent and 15 per cent in iron ore exports from this country - we are the dominant exporter in the world - will lead to an oversupply on the world market and, subsequently, a lowering of the price. All of these events led me to believe there must be a very strong and resolute bipartisan policy by this Parliament to demand more from the iron ore companies in terms of jobs, processing and value adding in Western Australia. That does not detract from the vast amount of capital that the Broken Hill Proprietary Co Ltd has

spent in the hot briquetted iron plant at Port Hedland and its investment in the Pilbara to goldfields pipeline. However, we still do not have the value adding to our iron ore resources that we need to provide jobs for Western Australians and income for this State through an iron ore royalty. In general, that royalty has diminished, as has the real price of iron ore, which is a fraction of what it was 30 years ago.

Iron ore is becoming progressively cheaper to the importers, who get the benefit of the increased efficiencies that have been achieved under the rational economics approach of eliminating jobs in this industry over the years. I believe the chief beneficiaries of that philosophy have been the importers. Hamersley Iron Pty Ltd has invested a lot of money in the hi-smelt project at Kwinana, which is a very bold research and development project. Most of the money, probably between \$250m and \$300m, has already been spent. Most of the costs now involved in the hi-smelt project are operating costs. It is expensive, but the company has leapt the main capital hurdle.

In this Bill we are giving that company access to reserves that contain a very sought-after type of iron ore. There is absolutely no problem in marketing this form of iron ore because it is voraciously sought after by customers, particularly those from Japan. In my view there is a real danger in expanding production of the Yandicoogina Creek and the Marillana Creek-style ores. It will draw companies away from the less attractive ores in the Pilbara; that is, the ores from Mt Newman and Hamersley. The ores from Yandicoogina Creek and Marillana Creek are goethite, very low in aluminium and phosphorous, and generally exported as fines. BHP initiated the Marillana Creek project in 1991 with a very modest export goal of two million tonnes per annum. That quickly increased to five million tonnes, and I think it is now up to around 30 million tonnes per annum. A massive amount of ore, by anyone's assessment, is now going out of the BHP mines on Marillana Creek and Yandicoogina Creek. That increased production rate at the two mines - the second mine was opened last week - indicates how attractive that type of ore is to overseas buyers. It is a premium ore which should be used to extract some fairly significant advantages for the State.

The days of political parties outbidding each other to see which one can expand the iron ore industry the most, without looking at the long term net benefit to the people of this State, are finished. I would like to see some coordinated action in this area. The original deposits in this area were discovered by BHP in the early 1960s. It had great trouble in convincing its head office to peg this area. After some badgering, BHP pegged a small section in the middle of what was considered by its geologist to be a very prospective area. That is now the Marillana Creek mine. CSR Limited pegged the areas around Marillana Creek, downstream and upstream, from this mine, but later sold out. I thought it had sold out to BHP, but Hamersley now has those leases. I am not sure whether an intermediary was involved or whether they were sold directly. There are vast reserves of iron ore in this creek system. The BHP reserves in that area are some two billion to three billion tonnes, and the reserves of Hamersley Iron are much larger.

I did not expect this debate to come on until later this afternoon, so I am basically speaking from the Bill notes and my knowledge of the debate, but I do not regard that as any great handicap.

Hon N.F. Moore: Sorry about that.

Hon MARK NEVILL: The second reading speech states that the capital cost of the project will be \$400m. I expect that a large portion of that cost will be the extension of the railway line from Marandoo, or from wherever it will come in the west. It will have a construction work force of over 400 and an operational work force of between 100 and 140. Annual export earnings are likely to be around \$300m at a 15 million tonnes per annum production rate. Payroll tax will be contributed to the State and royalties of some \$15m a year will be paid. Construction is due to commence in the second half of next year, and production is expected to commence in 1999.

The second reading speech states also that initial production will be up to 15 million tonnes per annum and is expected to increase to 30 million tonnes per annum. I would not be surprised if it reached that level very quickly. This iron ore is extremely sought after, and perhaps we are giving it away a little too readily without getting more substantial downstream processing as a result. The second reading refers to the establishment of a new town in the Pilbara. Presumably that will be between Newman and Hamersley Range National Park, which is in that area. I am not sure that is necessary. Good commuting facilities can be found in Newman, and perhaps also Tom Price, which has a lot of vacant housing at this stage. It is important that those towns have what the Minister for Transport referred to in an earlier debate on the difficulties of small business in Joondalup as a critical mass. I have a feeling that a new town may dilute that critical mass and we will have another town that will be left languishing a few years after it is constructed due to cuts in the work force, which we have seen in the Pilbara. The main beneficiaries of those lost jobs will be the Japanese and Korean steel mills. We must decide what we want from our iron ore resources, and that can be done in a bipartisan way.

The Bill also mentions some further processing requirements, which have the typical escape clauses. I suppose that is understandable; if there is no market and it is not economically viable, we cannot force people to do something.

However, I wonder just how hard our Pilbara miners have tried when we look at companies such as Kingstream Resources NL. People still scoff at the prospects of Kingstream being economically viable. I have followed the Kingstream project for two years. I believe a 1.5 million tonne plant is quite viable, but a 2.4 million tonne plant is questionable because of the problems of upgrading the railway line to Mullewa to enable the additional tonnage to be hauled, of having to beneficiate ore over the amortised life of the mill, and of getting that quantity of gas down the existing pipeline. A larger plant will create environmental and transport problems.

Today's *The West Australian* reports that there are moves by the Government to get the Kingstream project to shift from Narngulu to the Oakajee industrial area north of Geraldton, and that will require a new port at Oakajee, whereas the existing port could cope with a 1.5 million tonne per year plant. As I said, it is not certain that that project will go ahead, but it is certainly in a far more advanced stage than any other project in the Pilbara. We cannot equate a hot briquetted iron plant with a steel mill, but it seems that one small, junior company is showing initiative and doing the impossible. Our existing iron ore miners have probably not really tested the limits of risk with regard to downstream processing; they probably think they are doing quite nicely as it is.

The second reading speech refers to the requirement to produce metallised agglomerates. I presume that is dehydrated goethite. That process will reduce the iron ore to 85 per cent total iron. It states that the definition is sufficiently broad to include direct reduced iron, iron carbide, or hi-smelt products. That is very interesting, because the hi-smelt reactor is still at the research and development stage, and I understand some adjustments are being made to the furnace, for want of a better word, so that it will be vertical rather than horizontal, as it is at the moment. The expenditure is not massive. Most of the money has been spent, and the costs are now mainly for operating and general research. That change in furnace orientation should improve the dynamics of the process.

The second reading speech refers to iron carbide. The iron carbide process is an alternative. There is an iron carbide mill in the West Indies in either Trinidad or Tobago, and that is working quite well. I understand Marubeni Australia Ltd is also working on the iron carbide process, and I suspect that if the hi-smelt process did not deliver the goods, the iron carbide process might be its replacement. If Hamersley Iron can get the hi-smelt process to work, it will take a quantum leap ahead of BHP, and we must give it credit for that. However, it has already invested most of the capital, so this Bill will not result in significantly large amounts of research and development capital expenditure in this State, but I do wish the company well in its efforts to make that project economically viable. The direct reduced iron is included in that definition, I suppose in case it cannot get the iron carbide process to work. From my rather brief reading of this Bill it seems that there are three fall back positions for the hi-smelt project in case it does not work.

That takes me back to the agreement Acts. I do not believe they are necessary. Most of the clauses in these agreement Bills are standard. If the Government wants to lock one of these iron ore companies into downstream processing, it can be done by a private Bill, ratified by this Parliament. Much of the material in this Bill, as in most other agreement Acts, is useless and of no point. The existing laws of the land should cover most aspects of rating, the environment, royalties, the resumption of land, and the construction of civil works. Agreement Acts have become a bit of a mindset. Where a need exists for legislation, it can be covered by a private Act. The Leader of the House and I have had debates before on whether we should look at the merits of agreement Acts. They are used extensively in Queensland and Western Australia, but they are used sparingly, if at all, in other States. They are not used in this State in major projects, such as goldmining projects, as such. Some of the companies in this State have had these Acts foisted on them, as in the case of the Beenup mineral sands project. I am not sure they are necessary.

I also have a fundamental objection to legislation coming to Parliament that members cannot amend. The schedules of these Bills can be either accepted or rejected. The same situation exists with delegated legislation. I have always found it strange that this House can amend a Bill, but cannot amend regulations. The public servants tell us what we can and cannot have. We can either throw it out or accept it; we cannot change it.

Hon Derrick Tomlinson: Rejection is a pretty powerful amendment.

Hon MARK NEVILL: Hon Derrick Tomlinson makes a good point. However, the member will know that often those regulations have been in place for six months before they are disallowed.

Hon Derrick Tomlinson: They have only been gazetted for six months.

Hon MARK NEVILL: They come into force on a certain date, and members can disallow them 14 sitting days after they are tabled in this House. That period may include a recess, which can be the recess for the election.

Hon Derrick Tomlinson: Would it not be a salutary experience for a department to have gazetted a regulation for six months, only to find that after six months the Legislative Council or Legislative Assembly rejects it? Wouldn't it be embarrassed?

Hon MARK NEVILL: I would love to disallow such regulations; however, I would be a lonely person in this House. About four other people in this place would have the spine to cross the floor and vote for the disallowance.

Hon Derrick Tomlinson: You are welcome to join me across the floor any time.

Hon MARK NEVILL: I hope we have that opportunity.

Hon P.R. Lightfoot: I've never had the pleasure of seeing you cross the floor.

Hon MARK NEVILL: Hon Ross Lightfoot has probably not, but he should not get too disillusioned.

Hon Derrick Tomlinson: We look forward to it.

Hon P.R. Lightfoot: I can only echo Hon Derrick Tomlinson's sentiments.

Hon MARK NEVILL: I used to be persuasive enough in the party room to get my own way.

Hon P.R. Lightfoot: They crossed the floor to you?

Hon MARK NEVILL: Yes, we drag them kicking and screaming in the goldfields, even when it comes to things like gold royalties.

The second reading speech indicates that proposals for a two million tonnes per annum metallised agglomerates plant are required to be submitted by 10 years from first production. If this project mines 30 million tonnes a year, it will then be required to put forward proposals for an agglomerates plant within 10 years.

Hon P.R. Lightfoot: It must get the Minister's permission to increase it from 15 million tonnes to 30 million. Any increase over 15 million tonnes needs the Minister's approval.

Hon MARK NEVILL: Yes. It must get the Minister's permission to expand the operations above 15 million tonnes and to increase the work force above 150. What have we come to? Do members not find that amazing? I thought we would let the company increase the workforce to 1 500 if it wanted to. The second reading speech states -

If the company wishes to expand its operations beyond the 15 million tonnes per annum and 150 persons limits, -

The Bill puts a limit on employment -

- it must first obtain the Minister's approval . . .

The company certainly would not have to get my approval to go above 150 people. I hope that requirement is a misprint. I have not had time to go through the Bill to see whether that provision is written in it. If it is, it is even more ludicrous.

I was going to go through the schedule in Committee and pick out those parts that I thought were essential. Frankly, I think only the further processing proposals might be essential. They usually have an escape clause; therefore, it is difficult to enforce those sorts of provisions. The agreement Act for the hot briquette iron plant contains a provision that allows the company to have long term gas contracts, which probably breaches the Trade Practices Act. An Act of Parliament is required to avoid a breach of the provisions of the Trade Practices Act, which allows States to override that Act by that means.

The Bill does not contain much else that I consider essential to be ratified by this Parliament. A massive amount of iron ore will be exported from this Hamersley Iron-Yandi Pty Ltd mine, as there will be from the BHP iron ore mine in this area. It is sought after iron ore. Out of that area will come something like 60 million tonnes a year. That amount is growing each year with the voracious demand for this type of ore. Within 10 years that amount could be 500 million to 600 million tonnes. The company is required to build an agglomerates plant that upgrades the iron ore. That seems to be a modest requirement of the company. It is going ahead with its hi-smelt project as part of this. However, in my view the capital has been spent there. It will not be a capital intensive process from here on in to determine whether that project will work with the existing levels of physical technology.

I am not entirely relaxed about the deal that has been entered into under this legislation. There is no doubt that the iron ore industry is important, and all members can talk about that and about record production. However, I repeat that the expansion over the past two years suggests to me that it is at such a level that there will probably be an oversupply of iron ore and a drop in the price for future contracts that are signed because of this ore.

I have made some fairly critical comments, but I do not want to detract from the good work that is done in the Pilbara in our very efficient iron ore industry. We have the leading edge in transport technology. We run the longest trains in the world, and that is not just a matter of hooking up another 100 iron ore wagons. We possess sophisticated

technology for getting the trains started, and how they travel over hills when one part of the train is going up and the other is going down. We lead the world in that area, and that is probably our competitive advantage. Transport represents 85 per cent of the cost of iron ore production, and that is the area in which we have the competitive edge. Our contracting and maintenance companies lead the way. However, there is probably room for both major and minor parties in this State to take a fundamental look at what we are doing with this resource. We must send a clear message to people who want to exploit this resource; we must tell them what this State and its people want from that very valuable and highly sought after resource. I support the Bill.

HON P.R. LIGHTFOOT (North Metropolitan) [2.52 pm]: Mr Deputy President (Hon Barry House), I thank you for the opportunity of speaking again on this Bill. In the 1980s when I was in opposition in the other place, sometimes I was in a quandary about whether to support a project of this nature - we have had many of them during this decade - and thereby benefit Western Australia in a real sense, or to take a political view and not give the legislation full embrace, because the Government may be seen to be leading and, in fact, passing the Opposition in such development projects. Of course, it is far easier for Governments to assist in the creation of such projects than it has ever been for Oppositions. In the other place, I embraced and spoke to the Channar agreement between CRA and the Chinese Government, without equivocation. I find the equivocation by Hon Mark Nevill on this occasion to be a little disappointing. I can understand some of his apprehension about the apparent lack of downstream processing being spelt out in clear terms that bind and tie down RTZ-CRA. I, too, have a mild feeling of apprehension about that aspect, but one must remember that the \$400m initial investment by RTZ-CRA in this Yandi project is subject to proper scrutiny, which should be embraced by both sides of this House.

Hon Mark Nevill: They will do very well out of this deposit.

Hon P.R. LIGHTFOOT: That is just wonderful! We hope that RTZ-CRA, BHP, Robe River Associates, and all the others who come along - Kingstream, Asia Steel, and AUSI Pty Ltd - will all do well. That is what we want them to do, because it will encourage other companies to come here.

Hon Mark Nevill: This has the capacity to put Robe River and other companies out of business, in the long term.

Hon P.R. LIGHTFOOT: I do not know whether it will, because they mine two different types of ore. Yandicoogina ore comes from a greater distance. I do not see any great competition, with the long term contracts that Robe River has. Of course, the relevant federal Act prevents collusion between iron ore firms to set prices, although I am sure there are other ways to do it.

I turn now to a matter which was raised indirectly by Hon Mark Nevill: When the end user of the project is an equity holder in the development of a mine, the miner must suffer the prying eyes of the end user because it has the right, first, as an equity holder in the development, to be able to scrutinise the cost of the development. Being an equity holder in the mine, it applies that knowledge - I am thinking more of Kingstream, but I will allude to other equity holders later - and sets its price as the end user based on the knowledge of production costs, in this case, of the iron ore. That has always been a problem in the Pilbara. I hope that is a satisfactory explanation. Some of the big Japanese mills or clearing houses, such as Mitsui, Mitsubishi, C. Itoh and Nippon Steel - were equity holders in the Pilbara -

Hon Mark Nevill: Mitsui was an equity holder in Robe River, but that was not a mill.

Hon P.R. LIGHTFOOT: Mitsui was the end user or was in between, and knew the production and shipping costs. The Japanese clearing houses and traders applied their knowledge of ore production costs they had garnered by being equity holders in the Pilbara in the 1960s and 1970s to the Carajas mines in Brazil which they developed, and were able to play one off against the other.

Hon Mark Nevill alluded to the cheapness of the iron ore. Without question, even though in aggregate, iron ore is our biggest export income earner. Sometimes it competes with gold, but at the moment it is our biggest export income earner, earning several billion dollars gross. Nonetheless, in this case the end user, I think, reduces the price; and in real terms today it is only a fraction of what it was when we started mining in the 1960s. Therefore it has come down considerably. Of course, one could argue that the cost of the railway lines has been amortised; that the cost of the ports, the rolling stock and other high capital costs infrastructure has been amortised, and there is no need to write it into the cost of production. That is not the point. The point is that it is far cheaper in real terms to get a tonne of iron ore out of the Pilbara now than it has ever been - and that causes me some concern.

There was some mild controversy over the inability of this House to amend the Bill. I disagree with Hon Mark Nevill: Agreement Bills are absolutely essential. The State has become accustomed to them, and overseas companies which invest in the State need such agreements as part of the process of reassurance. Hon Mark Nevill did not suggest that we should not have agreements; he thought that it should be done privately, and that we should use the

courts if the company does not meet the conditions of the contract, but it should not be ratified by this House and these Bills, as a result, should not be introduced here. I disagree.

Hon Mark Nevill: Private Acts would still come through Parliament.

Hon P.R. LIGHTFOOT: Hon Mark Nevill said that it should not be an agreement Bill but more a contractual document which would be enforceable by the courts. In 1963 the Hamersley Agreement Bill was enacted and in 1964 the Iron Ore (The Broken Hill Proprietary Company Limited) Agreement Bill was enacted in this place. Had it not been for that Act and the then coalition Government, BHP Minerals - a wholly owned subsidiary of The Broken Hill Proprietary Co. Ltd - would not have invested \$1.5b in a direct reduced iron, hot briquette plant. The muscle in that original agreement forced BHP, kicking and screaming for a while, to undertake some of those projects it had committed to. This is one of those Bills that will be enacted -

Hon Mark Nevill: The Pilbara energy project pipeline was massively over size for any normal needs in Port Hedland. Obviously BHP was contemplating downstream processing three or four years ago.

Hon P.R. LIGHTFOOT: It did not happen; it is happening now under this Government.

Hon Mark Nevill: Hang on.

Hon P.R. LIGHTFOOT: I do not want to hang on, I want to tell members what I have to say.

Hon Mark Nevill: That project went ahead under the previous Government. Governments of the day do not have as much effect on these projects as some of us believe.

Hon P.R. LIGHTFOOT: I differ markedly. I do not believe that BHP or Hamersley Iron Pty Ltd would have invested in downstream processing if the agreement Act had not made that investment an impost on them. This Bill for the Yandicoogina deposit does precisely that. After, I think, 10 years Conzinc Rio Tinto of Australia-Hamersley Iron Pty Ltd must value-add with the production of carbon steel, down to, I think, a minimum of 85 per cent Fe. That will come about just as the review of the 1963 agreement Act in 1993 ensured that a DRI plant was initiated by BHP. I have no problems with that.

Although we hold title to the land at the moment - I do not want to discuss it now - I am concerned about native title in the Pilbara, as should be everybody in this House. Nonetheless, the fact that companies ask us to endorse their projects in our country is reassuring to finance institutions - perhaps not in the case of RTZ-CRA, the owners of Hamersley - which invest in this State and which need the certainty of a bankable document. Agreement Acts contribute to an indisputable basis of ownership when they are ratified by this House and the other place.

Hamersley Iron is owned by CRA, which in turn is part owned by Rio Tinto Zinc of the United Kingdom. Conzinc Rio Tinto of Australia is listed here, although it is now more than 50 per cent owned by RTZ; remembering that the Yandi deposit has been owned by Hamersley Iron for 25 years. For the past several years I have been puzzled why Hamersley has not been able to get off the ground, any downstream processing. That is an indictment of one of the world's great mining houses, not only because of its lack of enthusiasm for processing but also because it could have been carried out decades ago.

It appears to me on my inquiries, that the HIsmelt Corporation process, to which Hon Mark Nevill alluded during his speech, has spent almost \$300m on research and development so far. On what? I do not think it has the process perfected yet. As far as I am aware the smelting process is the refined German Midrex process of spraying pulverised coal and iron ore into the top of the furnace. However, it is a discredited process. In other words the process does not use gas. If it did, it would not be called a Midrex process. The process set up here by Hamersley Iron, is in Kwinana. At one stage it was proposed that Collie coal be used. However, that was far too expensive and far lower in calorific value than other coals, particularly Eastern States coal. Eastern States coal can be landed here cheaper than Collie coal can be mined.

I understand that inquiries were made next about bringing coal of a higher calorific value from Indonesia, which contained unacceptable levels of H₂O. However, it was very wet coal, which had to be dried. I understand that the whole project is not to proceed at its present location. I have been told by the usually reliable sources that the hi-smelt process, if it is still in any shape at all, will move to the Pilbara. That almost certainly means switching to DRI and using gas, as the medium to reduce the iron ore.

I am disappointed that Hamersley Iron has not matched the commitment that BHP Minerals has shown with its \$1.5b investment in the Pilbara to produce hot briquettes by the DRI method.

Hon Mark Nevill: Plus \$400m on the Pilbara energy project.

Hon P.R. LIGHTFOOT: Yes. That energy project supplies electricity through gas turbines to the project, with the excess flowing back into the Pilbara grid. About \$2b is being spent in total on that. I am very interested in the process of downstream value adding to our iron ore and any other commodities we mine in WA.

The companies involved in aluminium would be criticised, and indeed indicted by this place, if they dared to ship out vast quantities of bauxite. In the south west bauxite is reduced to alumina powder. Roughly 4 tonnes of bauxite produces 2 tonnes of alumina powder, which produces about 1 tonne of aluminium metal. The jump in value from the modest worth of bauxite ore to aluminium metal or even alumina powder, of which Western Australia is the largest exporter in the world, is significant.

The value addition to DRI, or hot briquettes, that BHP is shortly to produce, is approximately \$25 a tonne of ore FOB at about 63 per cent Fe, which increases to \$US140 a tonne for hot briquettes under long-term contracts. I understand that BHP has set a figure, albeit not immutable, of \$170 a tonne for the spot market. This frightens many other producers. AUSI Ltd, for instance, run by Sir Roderick Carnegie and Sir Russell Madigan, two former top executives from CRA, propose to value add the seven million tonnes a year of ore they will purchase from CRA. They must sell it at a higher price than the \$140 a tonne set by BHP for its long-term contracts if they are to operate profitably. These bankable agreement documents are very important.

On the one hand BHP claims it can sell DRI for \$140 a tonne on a long-term contract and on the other hand AUSI steel says it cannot produce it for that price and make a profit. I am very concerned about the steel industry, currently in its infancy in Western Australia, ending up as a monopoly, as the industry in Port Kembla did in 1915, apart from minor exceptions, with respect to the production of steel in Australia. The Broken Hill Proprietary Co Ltd has had a monopoly and stranglehold on the production of steel in Australia since 1915 when it first smelted iron ore in Port Kembla, New South Wales. I trust that will not occur in Western Australia. I am fearful that because no firm commitment has been made by one of the other iron ore producers - Robe River or Hamersley Iron Pty Ltd - with respect to a start date for the production of downstream processed iron ore, BHP may be working along the same lines as it did in 1915 at Port Kembla. I hope that is not the case.

I will deviate a little but not enough to contravene the standing orders. Kingstream Resources NL is showing what can be done. There is no reason that Hamersley cannot do this in two or five years' time with the Yandi ore. A company from Taiwan is able to do this with ore deposits which are significantly lower in value per tonne than the Pilbara ores. Also, with the Geraldton steel mill the steaming time back to Taiwan to where the product will be transported will be two days longer than if it were located in the Pilbara. Why cannot these other iron ore miners emulate Kingstream in the Pilbara when they have advantages such as gas, better iron ore, and more infrastructure such as ports, rail and rolling stock?

Hon Tom Helm: They have some very nice people too.

Hon P.R. LIGHTFOOT: They do indeed. I note that Hon Tom Helm is here now; they certainly have nice people in the Pilbara. I am sure that when he is in the Pilbara he is one of those nice people, although I will not go so far as Hon Doug Wenn who last night said that he loved Hon Tom Helm dearly.

Hon Tom Helm: I can feel it from here.

Hon P.R. LIGHTFOOT: Heaven forbid - wash my mouth out!

The Kingstream Resources development could be used as a template for what can be done, because it appears to be a goer in every sense of the word and is off and running. The only problem is whether it can write in the extra cost of moving from the site at Geraldton to a new, more appropriate site for the steel mill to the north; that is, away from the town but not too far from the existing port. If Kingstream can do this, why is it not possible for a group such as RTZ-CRA, with its vast resources and vast monetary reserves, to emulate that in the Pilbara? We should not be talking just about hot briquettes which are between 90 per cent and 95 per cent Fe; why not talk about the production of steel slab, the extrusion of rolled steel joists, the production of railway lines, or some other heavy steel based industry in the Pilbara? Why in 1996 are we still talking about opening iron ore mines and giving these large concessions to Hamersley of less than 50 per cent, which is now owned by Australians, controlled by Rio Tinto Zinc of the United Kingdom, when it has not yet made a commitment? That group made an enormous mistake by introducing the Midrex process instead of developing in the Pilbara something suited to the twenty-first century. The Midrex process was rejected in Europe.

I am disappointed. I embrace the production of iron ore and the expenditure of \$400m on the Yandi deposit, and the employment of 400 people in the building stages of the mine, railway and other infrastructure required. I embrace the 140 permanent positions to be available at the mine. However, I find it rather strange that BHP has the jump on CRA and, with all its expertise, one wonders what commitment RTZ-CRA has to Western Australia and this nation.

Hon Tom Helm: One is Australian and the other is not.

Hon P.R. LIGHTFOOT: CRA has significant Australian investment, but I am concerned that a new company from Taiwan is spending at least \$2b on three marginal deposits of iron ore, of different ages, geology and content of impurities at Talling Peak, Blue Hills and Koolanooka. Why cannot RTZ-CRA - perhaps the biggest mining group in the world at this stage - value add to some of this State's iron ore, and why is it still looking for permission to open another iron ore field? On the one hand I embrace the project, but I do not think this House should agree to open any more mines for RTZ-CRA, and its wholly owned subsidiary Hamersley, unless a firm commitment is made to downstream process the iron ore.

The first increase in value on the direct reduction iron method from \$US25 to \$US170 for the spot price is an enormous jump. We want to see more of that. That is where the jobs for our children and the wealth of our State will come from, not from exporting iron ore. As much as this Government encourages the development of this State's resources, there must be a balance. What would be the situation if bauxite were exported from Western Australia instead of alumina powder and aluminium? The diamonds mined in Western Australia are downstream processed and polished in this State. Western Australia has some of the world's most expensive diamonds and the biggest diamond mine. Some of the product is value added in Western Australia and sold on international markets. The same should happen with the iron ore. This Parliament is in a position to do something about the matter. It has control over the land and land titles and it should insist, as part of a fair deal, that no more iron exports or new mines will be permitted until the companies comply with the agreement Acts signed in the 1960s.

Hon Mark Nevill: Or let someone else have the opportunity of doing it.

Hon P.R. LIGHTFOOT: That is right. If these companies cannot do it, they should shift over. The problem is that AUSI steel, through Sir Roderick Carnegie and Sir Russell Madigan, wants to become involved, but cannot get a bankable document because it cannot produce the commodity at \$US140 a tonne which BHP has now set as the benchmark. BHP would not make much money from producing it at that price. It would if it could sell a swag of it at \$US170 a tonne on the spot market. Perhaps those are the tactics BHP is employing to lock out potential producers, as it did in 1915 in Port Kembla. I do not want that to happen in my State. I am pro-development and support the private sector, but I want to make sure this State gets value for money. This State should not agree to bigger holes being dug and bigger dump trucks being used, because that needs only one driver on the shovel and another one to drive the truck. Even if the mine were doubled or quadrupled in size, only two people would be needed to handle the equipment. I want to make sure that the minerals are downstream processed in Western Australia, to give our children jobs and to open new fields of expertise. This flows back to the universities which teach people about different earth sciences, engineering and other disciplines to handle the evolving value added businesses, that are derived wholly and solely from minerals.

In conclusion, there are many Yandi deposits in Western Australia. I do not want the endorsement of this House to become the template for other mining companies and mining houses to dig up the ore and send it away. I do not want that to happen. I agree with this legislation. It is a legitimate part of the international business process today to have a stable Government in all States of Australia to endorse these documents so that they attract the attention of bankers and make them sleep a bit easier. However, I do not want our minerals to continually be exported in an unexploited form after digging them out of the ground. It is an indictment on this place if we continue to allow this to happen when we have contracts that need to be validated by this House. It cannot go on. Western Australia must get more out of it than a mere royalty charge. We will get more out of it through downstream processing and a value that goes from \$25 a tonne, which seems ridiculous when some of those ores come back into this country in another form at \$1 000 or \$1 400 a tonne. That does not help our balance of payments. I am not using the forum of this House to say that we are putting RTZ-CRA on notice. However, it may care to take notice of this House. There must be something better for Western Australia than the trickle of royalties that comes out of a multibillion dollar industry. More has to stay in Western Australia and I will be watching during my next few years here to ensure where I can that the industry sticks to the deal and downstream processes some of the product it is sending overseas at a very cheap rate.

HON TOM HELM (Mining and Pastoral) [3.22 pm]: I join with the previous two speakers in expressing my concern that we are giving the ore away too cheaply and I do not mean necessarily in dollar terms. I wish to bring a number of matters with regard to this agreement Bill to the attention of this House. However, by the same token I do not want to see the agreement Bill not agreed to so that this development in the Pilbara does not get up and running and we do not get any benefits for the State from this capital expenditure.

I begin my contribution where Hon Ross Lightfoot finished. I interjected and referred to the responsibilities that have been accepted by the big Australian, BHP, and this foreign company RTZ-CRA, which most members will recall recently changed its name to more truthfully reflect its background; that is, it is no longer a 51 per cent Australian owned company; it is now foreign owned by one of the biggest mining houses in the world.

Hon Mark Nevill: And which sacked hundreds of staff in Australia when it took over, particularly geologists.

Hon TOM HELM: I note the interjection by my honourable friend Mark Nevill, that it sacked hundreds of people when it changed its name from CRA to RTZ. That puts me on the right track to alert the House to the fact that this company, which is asking this House to agree to the exploitation of this mineral lode, has a writ hanging over the heads of members of the union who are friends of mine to the tune of \$110m resulting from action taken in Tom Price a few years ago. That writ has been hanging over the heads of people since 1992-93. I understand people may have to answer to that writ in the very near future.

The change of name and the downstream processing referred to by Hon Ross Lightfoot must be taken into account by all of us as responsible members of Parliament. I am not suggesting that we should not allow that company to exploit that resource. However, it should be allowed to do it only with all of us having a full understanding of the sort of company we are allowing to make a quid from this iron ore. During the Marandoo agreement Bill debate the House was made aware of the long and protracted negotiations between this company and the Karijini people of the Pilbara, whose links are with that country, and the way CRA or Hamersley Iron treated those people. They asked for training, jobs, education, and all of those things that people in the metropolitan area take for granted. The Karijini people wanted to be provided with the wherewithal to work at the Marandoo mine.

Hon P.R. Lightfoot: That should be for everyone in the Pilbara, not just because you have a black face.

Hon TOM HELM: That is right. I have no concern with that. However, until the Marandoo agreement Act was passed most people - I include myself - considered that Aboriginal people were not local people. The union considered only people born in the Pilbara because some of its members' children were born and went to school in the Pilbara and the parents wanted to stay in the north west and there would be no work for their offspring. The union was geared into looking at local content, reference to which is contained in the second reading speech. However, I think the second reading speech's reference to local content related to capital expenditure on machinery, plant, etc, 80 per cent of which will be made in Australia. I hope that is true. However, I wonder whether that is not a jiggling of the figures.

I thank Hon Ross Lightfoot for that timely interjection. It is true; Aborigines should not get special treatment just because they are Aborigines. However, many of the young people do not have jobs and most of those who are deprived are Aboriginal children, the ones who were born and who live in the Pilbara and have lived there for God knows how many generations. Those people have an affinity with that land. Hon Ross Lightfoot is right - no child, whether it is born in Pannawonica, Karratha or Hedland and no matter what the colour of his or her skin should be precluded. That is my point: There has been no commitment from RTZ-CRA to employ people who were born or have commitments locally. Therefore, we have to take into account the position that RTZ-CRA has adopted. A preface in the Marandoo Act gave a commitment that CRA would do the right thing by local people by, where possible, providing proper training and proper jobs. However, RTZ-CRA will not agree formally to that commitment. I have to say that, after protracted negotiations, CRA put in place all the things that the Karijini people asked for. However, it did so in spite of the fact that it fought tooth and nail to avoid making that formal commitment. That again is an indication of the contrariness of that group. That answers the question raised by Hon Ross Lightfoot about why it has not gone into the downstream processing area to the same extent as BHP and others. Hamersley will do things at its own pace. One wonders about its cash flow. We know it is a big company.

Hon P.R. Lightfoot: What sort of commitment has RTZ to Western Australia?

Hon TOM HELM: Exactly. We have the hi-smelt project going forward. I understand it has swallowed in excess of \$100m.

Hon P.R. Lightfoot: It is nearly \$300m.

Hon TOM HELM: That is on research and development. We hope against hope it will be a success because it deserves to be one. I wonder whether it has backed the wrong horse and whether that technology has been overtaken by the BHP type of technology. It is hard to say. Nevertheless, one would have thought that CRA-RTZ would have the sort of commitment that others have put into the State and are still prepared to put into it. The previous Administration was as guilty here as anyone else. We were always flapping our jaws about getting value added to iron ore. As members of the previous Labor Government we stand condemned for not getting in place those downstream processors that the State deserved then and deserves now. It is really good to see that BHP, which was not off the hook to a certain extent, has made a commitment not just to the gas pipeline but also to the HBI plant. This is a bit of a cop-out. Because the resource will leave the State and come back value added, we are the losers.

I would feel a little more secure and more grateful and have the respect that I have for BHP if we could see here a commitment by Hamersley Iron similar to the commitment that BHP gave to local people; again, not just Aboriginal people but the people of Newman and the sons and daughters of BHP employees. That commitment is demonstrated

not only by BHP's training program that enables employees' children to compete for jobs at its projects but also by its looking at the downstream processing stage and at industrial relations in a consultative and cooperative manner, which is in direct contrast to the way that CRA has conducted its industrial relations. It adopts bully boy tactics, as demonstrated by the writ that will be facing some people. I was told that when representatives of Hamersley Iron gave evidence to the Senate inquiry into workplace agreements, the work force chosen to give evidence gave it under some form of duress. I have no physical evidence of that. I am concerned that where opportunities present themselves for people to demonstrate how they would like their lives to be run, the ability of Hamersley Iron employees is somewhat reduced. As an ex-employee of Hamersley Iron I am upset by this, because it was previously one of the best employers anywhere. It had a proud history of being cooperative and not being paternalistic; of bringing on board everyone with a view, whether they belonged to a union or not. There was certainly a great deal of mutual respect between the union movement and Hamersley Iron at that time. That has obviously gone by the board since the incident at Tom Price some time ago.

I also support the contribution of Hon Kim Chance concerning the alleged damage at Roy Hill. The back page of the Bill has a map setting out the area where Yandicoogina proposes its huge development. I ask members to look at the proposed communication corridor through the Karijini National Park and cast their minds back to the Marandoo agreement Bill. The evidence from the Western Australian Conservation Council was that putting in that channel for communication lines and a railway line through the Karijini National Park would interfere with the watertable on the eastern side of the park because water would run from east to west. Some of the water would go into Millstream and other watertables towards the coast of the Pilbara. This was not commented on in the second reading speech, but perhaps the Minister will advise us if the hydrology of the area is being monitored because of the 87 kilometre extension of the corridor to Yandicoogina.

Hon Mark Nevill mentioned the proposal to build another town in the Pilbara. That proposal by the Department of Land Administration has been around for some time. It is unusual for DOLA to have foresight, but one would have to be blind Freddy not to know the resources in area C, which is to be exploited quite soon. At the time of the proposal I think it was taken for granted that there would be a new inland Pilbara town. As Hon Mark Nevill pointed out, we need the physical mass in order to build a town to house workers in area C. If we get that it may take away people from Tom Price, Paraburdoo and Newman. Since I have moved to my new office in Newman there has been some radical change in the fortune and morale of the town - not because I moved there. There is a feeling of expectancy. We have the gas pipeline and new power station. I was able to take part in the celebration held for the opening of the power station. The pipeline seems to have lifted the spirits of the people in the town. There had been a lot of despondency about the future. Mining towns get affected in that way, but Newman has changed before our eyes. Housing is being taken up and new lots are being made available to the market. A lot of exciting things are happening, not just to do with the power station. We have the reduced work force for the power station. The pipeline has gone through and its work force has moved on. However, the feeling in the town is that some of the smaller mineral deposits may be capable of being exploited with cheaper power because they will make a profit for their owners. We have some long term future for Newman, which is not wholly reliant on iron ore. We have an industrial relations package that provides for workers to have a say in what goes on in their industry. We have a company that is prepared to spend time and money to attract comments, which it welcomes. We have an open town and a totally different culture in Newman from that in Tom Price and Paraburdoo. Nonetheless, the people of Newman work the same 12 hour shifts; they are multi skilled; and they will go anywhere. The same sorts of conditions apply in the workplace. We still have a commitment from the work force, in the same way that CRA and Hamersley Iron have, but it is given in an agreeable manner.

It does not matter whether one agrees with it or not, if one is forced to undertake a task, one's approach will be different than if one has volunteered for it. BHP acted with patience and spent the time to find out how its work force could achieve its aims. Hamersley Iron Pty Ltd forced and bulldozed the work force to achieve its goals. The aims of both companies are exactly the same, but their methods are different. When one visits those towns one sees that the structure of Newman and the morale of its people is better than at Paraburdoo. I used to live and work in Paraburdoo, so I know.

It is disappointing to have this agreement come before us. As Hon Mark Nevill said, the Opposition has been a little compliant - I must talk to my leader about that - in allowing this legislation to go through so quickly. I wanted to get some information from my union about its interaction with Hamersley Iron. I will not discuss Conzinc Riotinto Australia at this stage but will refer to Hamersley Iron, which is a wholly owned subsidiary of CRA. I am glad that Hon Ross Lightfoot made his point about downstream processing and value added industries so strongly. Resource companies must take note of the fact that we are saying, "No more Mr nice guy. We must have downstream processing, so more of the benefits from our resources will stay in the State." Hon Ross Lightfoot cited Port Kembla as an example. If resource developers such as Hamersley Iron are reluctant to put those facilities together, that reluctance will build on itself and it will become a self-fulfilling prophecy. If it continues, only one group will have

the resources and the ability to spend the capital, and we will have the situation where one developer will exploit the resource, and one thing will build on another.

I remind the House that the Marandoo legislation did not contain any commitment to train local Aborigines and to allow them to compete equally for jobs that might be provided by this development. That sort of commitment is not included in this Bill, and I do not know whether this Minister asked for that commitment from Hamersley Iron; nonetheless, the Bill does not reflect a commitment by the developer to train and employ at a local level.

It goes without saying that the Pilbara community is strongly opposed to the fly in, fly out arrangement. I can report to the House that the days of doing business under a fly in, fly out regime are numbered. As I understand it, the cost to an employer of a fly in, fly out employee is only marginally less than that of a permanent employee. We have witnessed an increase in the BHP work force at Newman, because the ability for people to fly in, fly out has been reduced somewhat.

Sitting suspended from 3.45 to 4.00 pm

Hon TOM HELM: I was explaining to the House the disappointment that I share with some of my comrades in this place regarding the low price at which we sell our iron ore. Perhaps I missed the point in the comment made by Hon Ross Lightfoot and Hon Mark Nevill about productivity in our iron ore industry. Mining in Brazil was mentioned as competing with the Pilbara because our ore and that found in Brazil is of similar quality. The productivity achieved by workers at both BHP and CRA is similar. Different types of mining are involved at different operations, with more overburden mining at Newman than at Tom Price, Paraburdoo or Channar. Different types of iron ore mining operations are involved, but the workload borne by the individual employees is of a similar nature. These results are being achieved through cooperation.

One has all the elements of successful resource ventures for this State: We have a committed, well-trained and well-motivated work force which has proved its productivity capacity so that Hamersley and BHP are now employing permanent employees rather than contractors. However, one thing is missing which everybody brings to our attention; namely, the commitment, particularly to that region, to train and employ locally born people and to take the process downstream and value add the resource. As long as the companies are making a few bob, they will be happy to exploit less of the resource so it will last a little longer. My information is that the defined ore resource, mined at the present rate of 60 million tonnes a year, will last at least another 100 years. That is phenomenal.

I have waxed lyrical about how the Pilbara has the biggest and the best and the most technologically advanced operations. This advance is matched by capital expenditure and the training programs provided by the companies, particularly BHP, and by the Government's commitment to provide relevant training through colleges and annexes in the towns to enable people to deal with the new technology. I know not what else we can do to demonstrate to mining companies that we are dinkum about providing the best, cheapest and most reliable ore resource in the world, yet they are reluctant to spend that extra capital to value add the resource.

I have not repeated - I will check in *Hansard* - the few comments I made about the Marandoo agreement. This project is a little different. I have learnt some points from the Marandoo exercise, over which I lost a little sleep. I gave my party and Hamersley Iron some stick about being easily rolled over to sign that agreement Act, and my speech in this place reflected that view. My party was not pleased about those comments. Nevertheless, it was a worthwhile process. The evidence is that CRA did exactly what I and the Karijini people asked it to do; in fact, the company acted in a better manner better than that of most companies: It provided jobs and a future for the Karijini people. I hope the company will act in the same way with the people involved with this legislation. The Marandoo Bill contained a commitment in that regard, which this Bill lacks. However, that does not mean that the company will not make that commitment. We are looking for a commitment to local employment and to the development of the north west, the Pilbara particularly, by abolishing the fly in, fly out arrangements. This will provide employment for local people in the mining industry, for their children and for the original inhabitants of the Pilbara region. I support the Bill.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.07 pm]: I thank members for their support, albeit lukewarm in some respects. Everybody supports the Bill, although, generally, members have indicated that a greater commitment to downstream processing should be evident in Hamersley Iron's activities in the Pilbara. The Government - personally, I share this view - does not disagree with that general sentiment: The time has come for Hamersley Iron to be more up-front regarding its downstream processing commitment in the Pilbara. I acknowledge the efforts by Kingstream in Geraldton to establish a steel mill with a very inferior ore body to that worked by Hamersley. Kingstream is well down the path of achieving that processing goal, yet Hamersley Iron, which has been in the Pilbara for 25 years, has yet to deliver any downstream processing at all. A simple and clear message for Hamersley Iron can be found in that comparison.

That sentiment has been expressed by not only members of this House, but also the Minister for Resources Development, Hon Colin Barnett, and the Premier, who on many occasions has exhorted the companies in the north to spend money on downstream processing. Some light can be seen on the horizon regarding downstream processing: We have already seen the BHP project at the construction phase; the potential Australian United Steel Industry group project, to which Hon Ross Lightfoot referred; the Kingstream Resources NL project to which I referred; and the Asia Steel project at Geraldton. Therefore, a number of projects are being developed around the State which may or may not eventuate. The history of the iron ore industry indicates that we are closer now to achieving meaningful downstream processing in this industry than ever before. The closer we get to that goal, the more pressure will be applied to companies such as CRA or Hamersley Iron to be involved with steel manufacture.

Hon Mark Nevill made a number of comments to which I will respond. First, I apologise for the Bill coming on earlier than he anticipated. I had not advised the Leader of the Opposition that we would be dealing with the program in this form until the last minute. I apologise, but I doubt whether that program change detracted from Hon Mark Nevill's comments on the Bill. He talked about the Yandicoogina ores and the fact that they are very valuable. The Government acknowledges that. There is no doubt that BHP and Hamersley Iron are keen to mine those deposits. The amount of ore being removed is small when one considers the enormous reserves in that part of the Pilbara. The member made the point that he thought we were giving it away a little too readily, and there is some sympathy with that view. However, when a company wants to undertake a \$400m project virtually immediately, it is a very attractive proposition. When members look at what is included in the agreement and the requirement for some downstream processing after 10 years, they will acknowledge that it is heading in the right direction. Clearly the Bill contains an escape clause, as have past agreement Acts, and, as Hon Mark Nevill said, that is necessary because of the changing economic environment. The member also asked how hard Hamersley Iron has tried to develop a steel manufacturing facility in the north west. I do not know. As with all very large investments, companies make decisions after extensive consideration. If there were a quid to be made out of downstream processing, I suspect that the company would be into it like a rocket. There is obviously some doubt about whether this processing is viable. However, when one looks at what Kingstream might be able to deliver, it appears that it is getting close to viability.

The member referred to a new town and asked whether it is necessary. I am not sure that it is, but it should be contemplated. The area between Tom Price or Marandoo and Newman is large and there are no towns. As a result of the development of the large deposits at Marillana Creek and Yandicoogina and the tourism industry in the Pilbara, a new town could be a possibility. The sealing of the road from Tom Price to Marandoo to the Pt Hedland Highway will open up that area very well. It may allow for transfer of employees from either Newman or Tom Price to the mine site. It is an option that should be considered very seriously.

Hon Mark Nevill raised his normal complaint about agreement Acts. I will not give my normal response, other than to say that there appears to be an acceptance by customers, bankers and project operators that having a state agreement is preferable to not having one, particularly from the point of view of the bankers, who appear to believe a ratified agreement Act is the guarantee they need to ensure that these projects will go ahead. The member stated that one cannot amend the agreement. That is appropriate; the agreement is between the Government and the company and deals with the way the project will be carried out. It is a matter of opinion, and Hon Ross Lightfoot has a different opinion from that of Hon Mark Nevill. As I have said previously, perhaps we should have a select committee to deal with this issue in the next Parliament. The two members might like to combine with a member from the south west to investigate state agreement Acts for four years. Perhaps they could go to Canada.

Hon Mark Nevill: I am sure other countries have something to teach us.

Hon N.F. MOORE: It would be very pleasant.

The member also referred to the limit on tonnage and the number of people employed. Clauses 8 and 10 refer to size limits. The Minister for Resources Development argues that putting a limit on the size of the operation gives him the capacity to ensure that these companies do not mine the best and leave the rest. The legislation provides that the company can mine only 15 million tonnes of ore and employ up to 150 people. If it wants to go beyond that - in other words, to make the project bigger by mining and exporting more ore - it must come back to him to argue its case. The restriction is designed to keep the project relatively small, on the basis that the Government would rather the company did something else with the ore in Western Australia. Of course, permission to expand the project will not be automatically forthcoming. This tactic seems strange on the surface, but it is designed to ensure that the company does not mine ore in very large quantities without undertaking any processing. I suspect that the Minister would not reject a proposal from the company to mine 15 million tonnes using 350 employees. The intention is to restrict the size of the operation -

Hon Mark Nevill: They do not want ghettos near the mine.

Hon N.F. MOORE: I would not describe any of the towns in the north as ghettos; they are delightful towns.

Hon Mark Nevill: If they bring in more than 150 employees, they are required to build towns.

Hon N.F. MOORE: That would require ministerial approval.

This is a very significant \$400m capital project. That is very large by anyone's standards. It will generate 400 jobs in the construction stage and 100 to 140 permanent jobs. It obviously has a long term future because of the nature of the reserves in that part of the Pilbara. We can only hope that it will be a great success and that the downstream processing that all members believe is appropriate will eventuate.

Hon Ross Lightfoot expressed in no uncertain terms his concern about the lack of commitment by RTZ-CRA to downstream processing of iron ore. He also expressed concern about BHP's developing a monopoly in Western Australia. Members would share his concern if they were to see what has been happening in recent times. As I have said, the Government is working very hard to ensure that Hamersley Iron sees the light and becomes involved far more significantly in downstream processing. As Hon Mark Nevill pointed out, the HIs melt project may lead to something happening in the Pilbara.

Hon Tom Helm made one of his usual contributions on this topic. I will not say anything rude about his contribution, other than that I have heard him say the same things previously. That is fair enough, because he is representing the views of his constituency, albeit his constituency is half the Pilbara - the other half does not necessarily agree with him. When he says that he must go to his union to find out about it, I point out that the unions are not a significant influence in Hamersley Iron these days - whether they represent the views of the work force is another question. That has been one of the major changes in that company in the past few years.

Hon Mark Nevill: The wheel continues to turn.

Hon N.F. MOORE: I have seen the wheel turn at Tom Price. When I lived there many years ago, the situation was exactly opposite. The company was being screwed blind and virtually destroyed by avaricious unionists and people who saw an opportunity to -

Hon Tom Helm: When was that?

Hon N.F. MOORE: In the early 1970s. I was there when workers went on strike about the flavour of the ice cream and because they were supplied with crunchy peanut butter rather than smooth.

Several members interjected.

Hon N.F. MOORE: There was also extensive pilfering but the company was too frightened to do anything.

Several members interjected.

Hon N.F. MOORE: I do not care who it was. The industrial relations situation in the Pilbara in the early 1970s was an absolute disgrace.

Hon Tom Helm: The teachers could not pilfer because they had nowhere to live.

Hon N.F. MOORE: I had a house to live in at Tom Price. It is one of the most delightful towns in Western Australia. It is absolutely magnificent and has huge tourism potential.

The member is correct in saying that the wheel turns. Although the unions totally dominated the situation in the early 1970s, they are virtually nonexistent in the 1990s, but perhaps that situation will change again.

Hon Tom Helm and Hon Kim Chance referred to the hydrology of the Pilbara. Over a long time, while in opposition and government, I have listened at great length to the arguments of the Kennedy brothers from Roy Hill, involving about 150 meetings with them. I took their arguments to then Minister Bridge who said there were no problems. I sought to mediate between them and Broken Hill Proprietary Co Ltd on a number of occasions and I sought to provide a mediator, a Supreme Court judge from New South Wales, to work out who was right and who was wrong; but nothing seemed to come out of all that. Therefore, because I have not been involved in this issue in recent years, it is with some interest I note Hon Kim Chance is now getting the same story I did. I was told in no uncertain terms that Ophthalmia Dam was the reason for all the trees in the area dying - there was no argument about it - and that the only way to solve the problem was to knock down the dam wall, let the river flow again and everybody would be happy.

Hon Mark Nevill: Significant stands of trees were dying when I worked there in the 1980s. The Ophthalmia Dam has nothing to do with it.

Hon N.F. MOORE: I think the member is right. We are now told that might not be the problem. Had we gone along with the Kennedy's proposition in the late 1980s and early 1990s, the dam wall would have been knocked down and

we would have found nothing had changed. I was also told by them that the amount of water taken from the underground sources in the Pilbara is lowering the watertable to the point where the trees are dying because they simply cannot access underground water. I do not know about that, but I will find out whether any hydrological surveys have been undertaken to monitor that aspect in the Pilbara area overall. Obviously a lot of water is being taken out of the ground. The Marillana Creek mine involves the diversion of a large amount of underground water.

Hon Mark Nevill: It is being pumped into the same stream, just downstream a little.

Hon N.F. MOORE: It is argued that somehow or other it is affecting the way in which the ground water flows. I do not know about that either. I am no expert in these things, and I never want to become one because I would spend my entire life arguing about these sorts of issues.

Hon Tom Helm once again raised the issue of Aboriginal training. I am very impressed with the excellent training courses and programs Hamersley Iron Pty Ltd is running for many Aboriginal people in the Pilbara. Hon Tom Helm may know Peter Eggleston who has been employed by the company to manage that side of its affairs. I commend Hamersley Iron for what it is doing in that area.

I thank members opposite for their generous support for this Bill. The Government acknowledges the concern of some members about downstream processing. We are working towards achieving that. In the meantime, members should be pleased to know that another \$400m will be spent in Western Australia in the very near future. It will create jobs not just for those on site but, with the multiplier effect, a significant number of jobs in the manufacturing sector of this State. I commend the Bill to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and passed.

ELECTRICITY AMENDMENT BILL

Second Reading

Resumed from 31 October.

HON MARK NEVILL (Mining and Pastoral) [4.25 pm]: This Bill has the support of the Opposition. I cannot quite understand why this Bill has appeared in this Parliament this session. It appears to be fairly innocuous. Part 2 amends a number of fines, penalties and damages, and resets a number of fees payable for certain purposes. Part 3 relates to electrical appliances. It allows the Director of the Office of Energy to approve certain electrical appliances. If I read the Bill correctly, it allows the director to delegate that authority. Part 4 relates to energy efficiency and proposes to insert into the legislation part IVB, which deals with energy efficiency standards. It allows regulations to be made under the parent Act, which is the Electricity Act 1945. When I have concluded my comments on this Bill, I will make some general comments about legislation covering this industry. This part of the Bill provides that certain requirements can be made for the energy efficiency of equipment or, if it has been approved or labelled in accordance with regulations in Victoria, South Australia, New South Wales and Queensland, it can also be considered to have been inspected and approved by the person granting that approval, who I think is the Coordinator of Energy. The legislation says "the Director", but I am not sure of which organisation he is a director. He may also approve the manner of labelling of apparatus and the method of installation.

Hon N.F. Moore: He is the Director of Energy Safety.

Hon MARK NEVILL: Is he from the Office of Energy Coordination?

Hon N.F. Moore: Yes.

Hon MARK NEVILL: The Bill also proposes a new section outlining fines for breaches of the energy efficiency labelling requirements. Part 5 is the bits and pieces part of the legislation. It contains two definitions, one relating to electric installation and the other to supply authority. Clause 16 relates to the establishment of supply authorities. Basically it rewrites section 7 of the existing Electricity Act. From my reading of the Bill, I am not clear what proposed subsection (3)(b) means. It is a little too obtuse for me to understand. Clause 20 is about the powers of inspectors with regard to the general inspection of electrical work.

I cannot see anything in the Bill that is of such burning urgency that this Bill should be passed in this session of Parliament. That leads me to my main comment about this Bill. Over the past month or six weeks, I have been examining well over a hundred different sets of regulations with regard to a series of electricity Bills - the Electricity Corporation Act, the Energy Corporations (Powers) Act, the Energy Coordination Act and the Energy Corporations (Transitional and Consequential Provisions) Act - plus a series of water Bills that went through this House two years ago in 1994. It is only since I have started looking at those regulations that I have come to realise what an unholy

mess we have created. This Bill will amend the Electricity Act, which is an Act that those four Acts were supposed to subsume and supersede.

I have looked at the water regulations as they apply to Wittenoom, where the water supply will be disconnected on 30 December. The Wittenoom by-laws 1952 state that water pipes in Wittenoom must be made out of lead, wrought iron or asbestos. They also refer to cesspools, night carts and the tethering of horses. That is just one example of what can be found in those regulations.

We now have a series of regulations under the new Acts and a series of regulations under the old Acts, with cross-referencing of these regulations. It is an absolute legal nightmare. The electricity situation is a bit better than the water situation, but it is still a mess. I find it rather odd that this Bill will amend the Electricity Act in a way that seems to be not that urgent, except perhaps for the powers of inspection, which I am sure already exist in the old legislation. We should be amalgamating the current Acts. Having gone through this long and laborious process - and I have been given great assistance by the staff of this House in dredging those regulations out of the *Government Gazette* - I hope that eventually I will be able to make some sense of them. It seems strange that we are amending a 1945 Act when there are more urgent matters to be attended to in this area of legislation. If the Minister could point out something in this Bill that is of great urgency, I would be most grateful. With those comments, I support the Bill.

HON J.A. SCOTT (South Metropolitan) [4.33 pm]: I also find this quite an interesting Bill, for a number of reasons. Some of the things in it seem perfectly proper. However, the second reading speech states -

Another contemporary aspect for consumers is energy efficiency. . . . This labelling in a standardised manner will assist consumers in their choice of an appliance that best suits their needs. Consumers are interested in doing what they can to economise on energy and to contribute by their buying decisions to initiatives on abatement of greenhouse gases.

It states further that this will be advantageous in meeting the requirement to reduce greenhouse gas emissions and that this State joins the other States in making a commitment towards meeting greenhouse gas emission reductions by encouraging consumers to buy energy efficient appliances. I find that statement rather amusing, given that the Government when first in office made a commitment to build a coal fired power station at Collie when it could have just changed the existing coal fired power stations at Kwinana A and C to gas, to which they are already linked, and get 260 megawatts of extra capacity in that way. That would have reduced greenhouse gas emissions significantly.

This Government has been instrumental in urging the Federal Government to carry a message to the world at the greenhouse meetings that have occurred over recent years that Australia cannot join the rest of the world in doing something about greenhouse gases because we have a "no regrets" greenhouse policy; the "no regrets" are no regrets to the coal industry. Unfortunately, there are a lot of regrets for the people on this planet who breathe oxygen and for anything else that requires oxygen, because many problems will occur because of the poor attitude of Australia and a few other nations towards reducing greenhouse gas emissions. If the Government were serious about reducing greenhouse gas emissions, rather than apply the rating only to electrical appliances, it should look at rating new houses for energy efficiency, because the design of houses can have a significant impact on the amount of energy that is used - at least as much as the appliances that are used in them. Nothing is being done by this Government to look at that matter.

While I do not disagree with anything in this Bill, it is fairly hypocritical of this Government to say that somehow the public must reduce greenhouse gas emissions when the Government has done anything but and has been a total outlaw in the world and a disgrace to this nation in meeting the requirement to reduce greenhouse gas emissions so that we will avoid significant climatic changes and problems. While I support the Bill, I find it rather amusing that the Government has given itself a little pat on the back for reducing greenhouse gases in this way. Sure, this Bill will have some effect, but not much.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.38 pm]: I thank Hon Mark Nevill and Hon Jim Scott for their comments about this Bill. This Bill has arisen from the process of considering laws that need to be updated and upgraded. The Electricity Act is a 1945 Act and, having been born in 1945, clearly it needs to be updated and upgraded, because we all feel very old at 51, and this Act obviously feels pretty old at 51.

Hon Kim Chance: Do we have a sunset clause?

Hon N.F. MOORE: Perhaps we should have one! I wish that in respect of age we could also have a Bill to make us feel much younger, even at 51. This Bill does not attract a great deal of urgency in any sense, but it has been through the Assembly and it has now reached this House, and it is appropriate to deal with it because it will do some good things and will lead us down the path of updating a number of the provisions of the 1945 Act. To a certain extent it responds to the changing world of the supply of electricity and the greater involvement of the private sector in that. It also takes into account a number of the issues that relate to energy efficiency and the use of electoral

appliances. It refers to energy consumption generally. Although it does not go as far as Hon Jim Scott wants it to go with greenhouse gases, some of the changes will have some effect, albeit minimal in his opinion. However, if we were to do what Hon Jim Scott wants us to do, we would stay at home and not do anything.

Hon J.A. Scott: No we wouldn't. We would be using more advanced technology and leading the world.

Hon N.F. MOORE: That may be the case. I remember the member telling me that we did not need motor cars, but could have public transport travelling up and down the streets, taking people wherever they wanted to go. If that is to be the way of the world for Hon Jim Scott, that is for him to argue. However, let us take one step at a time. We cannot change the world overnight. He must understand that that is the way people operate.

Clause 16 amends section 7 of the Electricity Act and covers the generating stations that will be erected. New subsection (3) will amend section 7 of the principle Act so that the need to obtain consent for the installation of generating plant excludes those installations where the output is solely for own use and those that are not operating in parallel with the local supply authority systems. This provision will simplify procedures for the industry as there are many installations throughout Western Australia. I hope that clarifies the member's concern about new section 7(3)(b). I thank members for their support of the Bill and I commend it to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and passed.

MOTION - DISALLOWANCE OF OCCUPATIONAL SAFETY AND HEALTH REGULATIONS

Resumed from 5 November.

HON MAX EVANS (North Metropolitan - Minister for Finance) [4.44 pm]: This is the Government's response to the many points raised by the Opposition on this disallowance motion. The position of the Government is that the disallowance motion is a purely political strategy. The disallowance motion has little to do with protecting the safety and health of people at work. There are no substantive issues that would warrant disallowance. The Trades and Labor Council and the Opposition are prepared to forgo a significant improvement in the overall regulatory framework for the sake of trying to score political points in a pre-election atmosphere.

Hon Kim Chance: Oh!

Hon MAX EVANS: Why did the Opposition bring it on? It was trying to back away from that at a hundred miles an hour yesterday.

Hon Kim Chance: What are you talking about? What a load of rubbish!

Hon MAX EVANS: With regard to the concerns of the TLC and the Opposition, the following points are relevant. The changes made to the WorkSafe Western Australia Commission's recommended regulations by the Minister for Labour Relations are as follows: The commission is an advisory body to the Government and the Government is not bound to accept the commission's advice. There is a very small number of contentious issues, with consensus reached on some 300 other regulations. The commission is to be congratulated on its efforts to improve and modernise the occupational safety and health regulations. The hard work of a considerable number of people to improve occupational safety and health standards should not be overturned for the sake of political expediency.

The Minister for Labour Relations made only two significant changes to the draft regulation recommended by the commission. These changes do not warrant disallowance. Hon Alannah MacTiernan and Hon Tom Helm spoke on this subject. First, in the area of noise control, the Government has simply allowed industry more time to achieve compliance with the more stringent noise exposure standard and has increased the flexibility available to employers and employees to reduce noise exposure at work. Second, in the area of post-introductory training of safety and health representatives, the Government has not sought to prevent representatives from receiving the commission's recommended maximum of three days and has acted to ensure that further training for safety and health representatives occurs as a result of consultation in the work place.

An exhaustive consultative process has been undertaken in the development of these regulations. This includes four years of consideration by the commission and the opportunity for public comment in both 1992, at the commencement of the review, and subsequently in 1995 on the draft regulations. The TLC chose not to attend the meeting at which the commission finalised its recommendations to the Minister for Labour Relations on the draft occupational health and safety regulations. That is a point I made yesterday, of which Hon Alannah MacTiernan obviously was not aware. The TLC knew in advance that some of its nominees were not able to attend and it did not arrange for acting members to be appointed, as provided for in the Occupational Safety and Health Act.

Point of Order

Hon TOM HELM: I ask the Minister to identify the document he is reading from.

The PRESIDENT: Will the Minister identify that document?

Hon MAX EVANS: These are the notes I was required to get to respond to the comments by members in the debate yesterday.

Hon Tom Helm: Are they confidential?

Hon MAX EVANS: The member will have them verbatim, so it does not matter. It will take only about two hours!

The PRESIDENT: Order! There does not need to be an argument about it. The Minister has identified the document.

Debate Resumed

Hon MAX EVANS: The only substantive change to the commission's recommendations made at the meeting not attended by the TLC relates to regulations dealing with the employment of young workers. The commission is actively pursuing this issue and is preparing a public discussion document on the matter. If appropriate, regulations relating to young workers will be adopted. The TLC has a history of withdrawing its participation in the consultative process whenever it does not get its way. In August 1992 the TLC withdrew from the commission's regulation review process under the former Government until June 1993.

I turn to the new regulations. In the course of the regulation review, the TLC raised a number of issues that it considered warranted specific regulations. The commission was not able to reach consensus on these issues and a series of votes were held in the commission. In each case the TLC's proposals were not supported by the majority of the commission. In correspondence dated 1 November 1996 the TLC indicates its key claims about issues not covered by the 1996 regulations as young workers, induction training, record keeping, hours of work and violence. These are the comments members opposite quoted in the briefing notes of the TLC last night.

Hon A.J.G. MacTiernan: They were not our primary areas of concern.

Hon MAX EVANS: I know; I am just saying that members opposite quoted those points. I am stating a fact. Hon Tom Helm quoted verbatim and Hon Alannah MacTiernan quoted almost verbatim from the sheet. I had the sheet in front of me from which they quoted.

Hon A.J.G. MacTiernan: I just hope you get on to the other areas. I wasn't quoting from that sheet.

Hon MAX EVANS: I saw the member turning it over, picking the eyes out of it.

Hon A.J.G. MacTiernan: I had handwritten notes, actually.

Hon MAX EVANS: The 1996 regulations contain generic hazard identification, risk assessment, and control provisions which adequately address many of the concerns raised by the Trades and Labor Council. The Government accepts that the Occupational Safety and Health Regulations are a dynamic package with potential for further additions and amendments over time. However, the Government is not prepared to further delay the establishment of the nationally uniform framework for the control of hazardous substances and plant. These are essential elements of the 1996 regulations. If the 1996 regulations are disallowed the Government will seek to proceed with these key issues using the Occupational Safety and Health Act directly and through codes of practice.

A number of issues are under consideration which may result in additional regulations. In particular, the Government has agreed to repeal the Timber Industry Regulation Act and to include provisions on safety and health in the timber industry in the occupational safety and health regulations if required. That issue was raised by members, and I will speak more about that in a moment.

A Bill to repeal the Timber Industry Regulation Act has been prepared and is awaiting priority in the Parliament. The timber industry is planning to develop its own industry code of practice. WorkSafe WA will assist in the development of that code. The commission has also agreed to consider the development of relevant codes of practice or related guidance material in areas where regulations are not appropriate. The disallowance of the 1996 regulations would have a significant impact on the framework for occupational safety and health in Western Australia. The reinstatement of the 1988 regulations is not a viable option, and as a consequence the Government is considering major changes to the occupational safety and health framework if the disallowance motion succeeds.

Hon A.J.G. MacTiernan: How can we succeed in a disallowance motion?

Hon MAX EVANS: Prior to the commencement of the commission's regulation review, the Government indicated to the WorkSafe WA Commission that its preference was that occupational safety and health be promoted by enforcement of the general duty requirements of the Occupational Safety and Health Act, and dissemination of practical advice through codes of practice. If the 1996 regulations are disallowed, the Government will consider reverting to its preferred approach. That would mean the repeal of most occupational safety and health regulations; the publication by WorkSafe - the department - of advice to industry which would indicate the position of the department in enforcing the requirements of the Act, in relation to certain hazards and work processes; and the Government encouraging industry to develop codes of practice to provide practical guidance on compliance with the Act.

In the context of the extensive development process which has occurred and the broad support for the vast majority of the 1996 regulations, the Government has proceeded with implementation of the 1996 regulations. However, if the 1996 regulations are corrupted as a result of cynical politics, the Government will make changes to the occupational safety and health framework to ensure employers and employees can get on with improving safety and health in their workplaces.

Hon A.J.G. MacTiernan: So you think the National Party members will cross the floor?

Hon MAX EVANS: No, I am responding to the comments made prior to the debate coming on yesterday.

I will continue with the subject of young workers, which was raised by Hon Alannah MacTiernan and Hon Tom Helm. The commission is preparing a public discussion document on the issue of appropriate approaches to ensure the safety and health of children and young persons at work. The statutory duties of care of employers in the Act - section 19 - provide scope to address the issue of the safety and health of children and young persons without the need for regulations. The commission, on 7 August 1996, resolved not to recommend any regulations relating to the employment of children and young persons as part of the regulatory package and to address the need for specific regulations covering the occupational safety and health of young persons for possible inclusion in the regulations at a later date.

Hon A.J.G. MacTiernan: Why was that?

Hon MAX EVANS: Because it wanted to look at a public discussion paper.

The commission is concerned that the main issue for young workers is not merely hours of work but, more importantly, their ability to comprehend necessary training on safety and health procedures. The commission has progressed this matter, having dealt with it at each of its subsequent meetings on 4 September and 2 October. A draft public discussion document is to be considered at the next meeting of the commission on 6 November - today.

The Opposition claimed that there should be a mandatory requirement for induction and ongoing training. The statutory duty of employers under the Act to provide training is sufficient to cover the need for induction training. The commission has recognised the need for introductory and ongoing training in occupational safety and health. However, by majority vote, the commission considers the duties of the employer to provide such instruction and training to his or her employees as is necessary for them to perform their work in such a manner that they are not exposed to hazards - section 19 of the Occupational Safety and Health Act - adequately covers generic induction and ongoing training. The commission supported the inclusion of regulations requiring specific induction training when dealing with hazardous substances; that is, regulation 5.21. That matter was voted on by the commission in July, and the TLC voted against it.

The Opposition claimed that records should be kept to facilitate a systematic approach to the ongoing assessment and control of hazards and provide the basis for further discussion in search of control measures suitable to both management and the work force; and to provide a defence in terms of being able to demonstrate that the employer has fulfilled its obligation to carry out a generic assessment of hazards at the workplace. The issue was raised by Hon Alannah MacTiernan and Hon Tom Helm. The commission did not consider the keeping of records as essential for the hazard identification, risk assessment and control process other than in certain specific circumstances. The commission, by majority vote, rejected the need for a mandatory requirement for records to be kept of generic assessments; however, under the regulations there is a requirement for certain records to be kept; for example, hazardous substances used at the workplace, health surveillance, plant maintenance, the names of persons using or likely to be exposed to certain carcinogenic substances at a workplace. The vote was taken at a July meeting, and was lost by the TLC.

The Opposition claimed that demolition contractors should be licensed. The new regulations relating to demolition are sufficiently stringent and will be vigorously enforced. Licensing of demolition contractors was discussed over four meetings of the WorkSafe Western Australia Commission in 1993. In June 1993 the commission referred the issue to the commission's construction safety advisory committee and a working party established by the commission

to consider safety in the demolition industry. Neither the commission nor the committee could reach a consensus on licensing, the main difficulty being reaching agreement on who was to be licensed - contractors or workers - and the type of demolition work that would require a licence.

In 1995 the National Occupational Health and Safety Commission also determined not to introduce licensing of demolition contractors. The proposal on which the final draft of the regulations are based were considered by the commission and the regulation review advisory committee. The new regulations establish minimum qualifications and experience for supervisors in the demolition industry. WorkSafe WA considers the new regulations set higher standards for businesses in the demolition industry, bringing the qualification standards into line with that required of people who construct buildings - builders' registration or equivalent.

The Opposition claimed that hours of work should be quantified and limited by regulation to ensure no employee works such hours which may result in diminished capacity to function safely or cause ill-effect. The issue of hours of work is adequately covered by the general duties contained in the Act. The draft regulation proposed by the TLC was rejected by a majority vote of the commission. Section 19 of the Occupational Safety and Health Act requires an employer to provide and maintain systems of work such that, so far as practicable, employees are not exposed to hazards. This provision adequately addresses the issues raised by the TLC in respect of limiting hours of work. It was not considered appropriate for safety regulations to specify hours of work, because that is in the Act.

The Opposition claimed that there should be a mandatory requirement to control the risks relating to violence in the workplace. The issue of violence at work is adequately covered by the general duties contained in the Act. The draft regulation proposed by the TLC was rejected by a majority vote of the commission. The commission acknowledges that in some workplaces and in relation to some activities, employees are at risk of being subject to violence. The commission was of the view that where employees are likely to be subject to violence, control measures would flow from the hazards identification and risk assessment process. Again, section 19 of the Occupational Safety and Health Act requires an employer to provide and maintain systems of work such that, so far as practicable, employees are not exposed to hazards. This provision adequately addresses the issues raised by the TLC.

Hon A.J.G. MacTiernan: If you have that view, you would not have any regulations. You are saying there is a general duty of care, so we do not bother with regulations. It is nonsense.

Hon MAX EVANS: The member is working towards the disallowance of the regulations; therefore we may not have any regulations!

[Continued next page.]

[Questions without notice taken.]

MINISTERIAL STATEMENT - MINISTER FOR THE ENVIRONMENT

Swan River Trust Act Review, Report Tabling

HON PETER FOSS (East Metropolitan - Minister for the Environment) [5.35 pm] - by leave: Section 71(1) of the Swan River Trust Act 1988 requires that -

The Minister shall carry out a review of the operation and effectiveness of this Act as soon as is practicable after the expiration of 5 years from its commencement, and in the course of that review the Minister shall consider and have regard to -

- (a) the effectiveness of the operations of the Trust;
- (b) the need for the continuation of the functions of the Trust; and
- (c) such other matters as appear to him to be relevant to the operation and effectiveness of this Act.

The Minister is required under section 71(2) of the Swan River Trust Act to prepare a report based on his review made under subsection (1) and shall, as soon as practicable after the preparation thereof, cause the report to be laid before each House of Parliament.

In 1994 the previous Minister for the Environment appointed an advisory committee to assist him in examining the operation and effectiveness of the Swan River Trust Act. The advisory committee comprised Dr David Carr - planning consultant - and Mr Allen Gale - principal environmental manager of Sinclair Knight Merz Consulting Engineers. Events have since overtaken the review process. The Government has commenced the restructuring of the water industry. The recommendations of the advisory committee will be taken into consideration as part of this program. The Waterways Commission has been replaced by the Water and Rivers Commission. The Swan River Trust is now supported by the Water and Rivers Commission which has a wider jurisdiction and more resources

available for waterways management. The commission and the trust have been working together to increase the level of support to the trust, streamline trust operations and provide better integrated management of the catchments of the Avon, Swan and Canning rivers through the commission's regional structure. Further adjustments to the water industry and legislative change are planned for the next four years to complete the Government's program of reform. The report by Carr and Gale is entitled "Review of the Swan River Trust Act and its Relevance to State Waterways Management (August 1994)". I now seek leave to table the report.

Leave granted. [See paper No 839.]

MOTION - DISALLOWANCE OF OCCUPATIONAL SAFETY AND HEALTH REGULATIONS

Resumed from an earlier stage of the sitting.

HON MAX EVANS (North Metropolitan - Minister for Finance) [5.38 pm]: As I said earlier, the Opposition has requested that the Timber Industry Regulation Act be retained until specific regulations covering the industry are included in the regulations. Our response is that the Timber Industry Regulation Act should remain in force. The commission has not precluded the development of regulations relating to the timber industry but is awaiting advice from the industry. The Government has agreed to repeal the Timber Industry Regulation Act and to include provisions on safety and health in the timber industry in the Occupational Safety and Health Regulations if required. A Bill to repeal the Timber Industry Regulation Act has been prepared and is awaiting priority in the Parliament. The timber industry is developing its own industry code of practice. WorkSafe Western Australia is assisting in the development of this code. Hon Alannah MacTiernan, Hon Tom Helm, Hon Jim Scott, Hon Sam Piantadosi and -

Hon Mark Nevill: Hon Kim Chance.

Hon MAX EVANS: I do not know that he spoke on this. Nurses were referred to. The Opposition claims that regulation 5.2 totally excludes workplaces, such as animal testing laboratories, from the application of the entire part 5 of the regulations dealing with hazardous substances in the workplace. The response is that the exclusion of therapeutic agents from part 5 of the regulations is consistent with the National Model Regulations for the Control of Workplace Hazardous Substances issued by the National Occupational Health and Safety Commission. Part 5, hazardous substances, of the Occupational Safety and Health Regulations 1996 is based on the National Model Regulations for the Control of Workplace Hazardous Substances. Therapeutic agents are exempt under the national model regulations. Throughout the regulation review process the TLC supported implementation of the national model regulations in Western Australia. The proposal to instruct parliamentary counsel to include the exemptions in the national model regulations was included in the agenda papers for the WorkSafe Western Australia Commission meeting on 22 May 1996. Advice was sought from the national commission on a definition of therapeutic agent and WorkSafe Western Australia was referred to in the definition of "therapeutic use" and "therapeutic goods" in the standard for uniform scheduling of drugs and poisons issued by the National Medical Health and Medical Research Council and the Commonwealth Therapeutic Goods Act 1989.

An examination of the definition of therapeutic goods in the Therapeutic Goods Act indicated its scope went beyond the intention of the national model regulations in that it included the manufacture of substances to be used for therapeutic purposes. The approach of defining therapeutic use rather than therapeutic substances was determined to be the most effective way of achieving consistency with the national model regulations. Accordingly, regulation 5.2(b) reflects the intention of the national model regulations by defining the circumstance in which use of the substance in a therapeutic context is not subject to the requirements of part 5.

The National Health and Medical Research Council's "Standard for the Uniform Schedule of Drugs and Poisons" has extensive provisions on the labelling of substances for therapeutic use and information provided with such substances. The national commission was aware that therapeutic substances were already covered by existing national provisions for drugs and poisons. It is also important to understand that the use of therapeutic substances for diagnosis does not mean the use of laboratory chemicals in pathology and animal health laboratories. An example of a substance being used therapeutically for diagnosis would be an injection of a radiopaque drug to demonstrate the presence of kidney stones during an X-ray. It is also important to note, notwithstanding the provisions of the regulations, that section 23(3) of the Occupational Safety and Health Act requires manufacturers, importers and suppliers to provide adequate toxicological data about a substance to be used at a workplace. This basic requirement of the Act is satisfied with regard to therapeutic agents through national provisions of labelling and information on drugs. The national code of practice for labelling workplace hazardous substances acknowledges therapeutic goods as defined by the Therapeutic Goods Act 1989 as appropriately labelled. The employer has a duty under section 19 to provide the information to his or her employees.

Hon Alannah MacTiernan and Hon Tom Helm argued that section 5.2(b) could be interpreted widely and that non-therapeutic substances such as mercury, glutaraldehyde and cleaning fluids would be excluded from the

hazardous substance regulations. This is an extreme and unreasonable interpretation of the regulation, which is clearly designed to exclude the substances only in a therapeutic context. The suggestion by Hon Tom Helm that the regulation would exclude water and sewage treatment is absurd.

The Opposition has suggested that the 1996 regulations present a ludicrous situation in relation to the prevention of falls from heights of 2 or 3 metres. The 1996 regulations are generally consistent with amendment regulations which came into operation on 1 July 1995 with the objective of reducing serious or fatal injuries as a result of a fall from a height. It is ludicrous to suggest that the regulations will allow a person to fall from any height. The 1996 regulations, like the pre-existing regulations, focus on the prevention of falls from any height. The 1996 regulations clarify the standard of edge protection to be installed where edge protection is a means of reducing risk of a fall. Edge protection as a means of preventing falls from heights has been the subject of correspondence and meetings between Mr Hayman and WorkSafe Western Australia and some members of the regulations review group. The group is of the view that it has satisfied Mr Hayman's concern. Mr Hayman's letter was quoted in this place yesterday.

The definition of a competent person is consistent with the national definition and is relevant to a number of regulations. The WorkSafe Western Australia Commission has made a commitment to develop criteria for the competencies required to undertake the tasks required by the regulations.

The Opposition suggested that the 1996 regulations were gazetted to allay concerns about the performance of WorkSafe Western Australia. Hon Alannah MacTiernan said they were done in a bit of a flurry. Originally the regulations were to be brought in by 1993. The 1996 regulation was expected to come into force on 1 July 1996. The draft occupational safety and health regulations, when released for public comment, were expected to come into operation by 1 July 1996. On 12 June 1996 the Chairman of the WorkSafe Western Australia Commission, Mr David Palandri, reported to the Minister on progress towards finalising the commission's recommendations. These recommendations could not be transmitted before the commission met on 3 July 1996. Thus, gazettal of the 1996 regulations to come into effect on 1 July was out of the question. The chairman discussed with the Minister a time line for completion of the process. The chairman reported on this meeting at the commission and tabled the amended time line for the regulations to come into operation on 1 September 1996. However, as it had not been introduced in this House by 1 October 1996 it was not possible to do it by that date.

I have tried to address all the points raised by members.

Hon A.J.G. MacTiernan: Have you touched upon the major issue that I raised of declassification of a whole range of plant, and the changes to the hearing loss provisions?

Hon MAX EVANS: I did respond to the issue of hearing. The Opposition suggested that the 1996 regulations are deficient in that the requirements for the registration and inspection of plant have been changed. However, the 1996 regulations implement the national standard for plant issued by the National Occupational Health and Safety Commission. This was supported by all members of the commission, including nominees of the Trades and Labor Council. The 1996 regulations relating to plant faithfully reflect the national standard for plant developed by the national commission. There was consensus with the WorkSafe Western Australia Commission on implementing the national standard in Western Australia. There is no requirement to vote on any of the regulations relating to plant; in other words, they all agreed to it. There is no reduction in the standard of inspection.

Hon A.J.G. MacTiernan: There is.

Hon MAX EVANS: The pre-existing regulations did not require individual items of plant to be registered. However, certain types of plant could not be used unless they were inspected by a WorkSafe Western Australia inspector or a competent person. The inspection periods vary from between one and two years. The 1996 regulations require a range of individual items of plant to be registered. Registration embodies inspection by a competent person, a statement by the competent person that the plant is safe to operate, and a range of information related to safe operation such as operating manuals to be kept at the workplace. Records must be kept covering maintenance, testing and inspection. The definition of a competent person is consistent with the national definition. A national accreditation scheme for persons undertaking inspection is emerging and it is expected to be finalised in 1997.

Hon A.J.G. MacTiernan: Why have you taken out seven classes of machinery?

Hon MAX EVANS: Once finalised, WorkSafe Western Australia will consider its application in Western Australia.

The mines safety and inspection regulations pre-empted the outcome of the regulation review by the WorkSafe Western Australia Commission. Once the regulations have been confirmed the commission, in conjunction with the Mines Occupational Safety and Health Advisory Board, will address the differences. The advice is that the regulations adequately cover all items of plant and equipment.

I do not doubt that more matters will be raised by Hon Alannah MacTiernan in her speech before we vote on this disallowance motion. At this stage there are 300 amendments, and it is not appropriate to pass a resolution that would amend any of those regulations, because that would have to go through both Houses. As with the amendments proposed to regulations for the timber industry, these regulations will be considered in the light of experience.

Hon Tom Helm: Will the Minister table the document that he identified?

The PRESIDENT: The papers that the Minister identified should be tabled.

Hon MAX EVANS: I would like to make them available to Hansard, because there are a lot of technical points. I could give a copy of them to the Opposition.

The PRESIDENT: Order! That is not the question. You must table them.

Hon E.J. Charlton interjected

Hon MAX EVANS: I understand that I do not have to table them.

Hon Mark Nevill: You are listening to the Minister for Transport; that is your problem.

The PRESIDENT: Order! The Minister did not mention that the documents were confidential. The Minister was asked to identify the papers, which he did in accordance with standing orders. The Minister is now asked to table them.

Hon MAX EVANS: Hansard will need them to decipher my cryptic comments.

The PRESIDENT: Hansard is certainly entitled to have a look at them.

Hon MAX EVANS: I will table them. There is nothing confidential in them.

[See paper No 840.]

Debate adjourned until a later stage of the sitting, on motion by Hon W.N. Stretch.

[Continued on p.7904.]

DENTAL AMENDMENT BILL

Second Reading

Resumed from 31 October.

HON KIM CHANCE (Agricultural - Leader of the Opposition) [5.52 pm]: I am pleased to announce that the Opposition supports the Dental Amendment Bill 1996.

Hon A.J.G. MacTiernan: Only five of us will speak on it!

Hon KIM CHANCE: We are so enthusiastic about the Bill that all members are expected to speak on it, albeit briefly with some reservations! I am sure the Bill can be dealt with with some despatch. I have recently completed reading the debate on the Bill in the other place and I am pleased that a matter I intended to raise was appropriately addressed there. It is necessary for me to give a brief explanation of the Bill since members may not have heard the second reading speech, some of which requires repeating simply because its clear summary of the purposes of the Bill is far better than one I could offer.

The Dental Act 1939 does not provide for the registration of what we term dental hygienists. Without the amendment provided for in this Bill, 16 students currently studying at Curtin University for an Associate Diploma of Dental Hygiene will not be able to practice when they graduate. Therefore, the Opposition is pleased to support the Bill and to give it some priority. The Bill was drafted to give effect to undertakings given by both the current Minister for Health, Mr Prince, and the former Minister for Health, Hon Peter Foss, to provide an appropriate mechanism to enable those associate diploma students at Curtin University to practice at the end of this year.

The Bill makes two principal amendments to the Dental Act. First, it provides for the registration of a new class of dental auxiliary; that is, the dental hygienist. I note that three classes of professionals will fall under the broad category of dental auxiliaries. I was not sufficiently aware of the way the profession is structured. I had the view that we had qualified dentists, and that was basically the structure of the profession. I had no idea that dental auxiliaries in their various forms, including both school dental therapists and dental therapists, were so widespread.

This Bill will create a third class of dental auxiliary in the dental hygienist. It will also provide for the existing class of dental therapists, currently licensed under the Health Act, to be registered under the Dental Act. In theory - I will explain that qualification in a moment - the three classes of dental auxiliary will be regulated under the one Act.

The Bill specifies what qualification and experience shall be required for registration of dental auxiliaries. It specifies the acts of dentistry which dental auxiliaries may perform. It does that in some detail and also specifies the requirement for supervision. My understanding is that, although this may have been contained in the Act, it specifies the number of dental auxiliaries who may be employed in the private practice by a single dentist.

School dental therapists will become regulated by the Dental Act rather than the Health Act. The qualification I have already placed on that comment is that it seems that the regulation guiding some of those auxiliaries at least will be able to be gazetted under the Health Act. I will come to that point again shortly.

It seems strange that the perfectly sensible goal of bringing all the dental auxiliaries regulations for gazettal under one Act is countered by the fact that one class of auxiliary will still be able to be regulated under the Health Act. If the Attorney General is looking for a reference, I have -

Hon Peter Foss: It is proposed new section 50D.

Hon KIM CHANCE: The Bill also specifies three acts of dentistry which can be performed by dental auxiliaries. Those three classes of dental auxiliary are titled dental therapist, school dental therapist and dental hygienist. I referred earlier to the acts of dentistry which can be carried out by each of those classes, and the fact that those acts are specified according to each class. Dental therapists are able to carry out a fairly wide range of dental acts, including core acts, local analgesia acts, orthodontic acts, dental therapy acts, restoration acts and root planing.

Sitting suspended from 6.00 to 7.30 pm

Hon KIM CHANCE: The second class which, on the surface, should not be all that different is the school dental therapist. However, there is a slight difference in that, firstly, the school dental therapist is unable to perform restoration acts and, secondly cannot carry out root planing, but can perform caries detection, an act that a dental therapist may not perform. I thought that was strange, but I suppose there is a good reason for it.

Both the school dental therapist and the dental therapist may perform orthodontic acts, but only in circumstances where the Dental Board has been satisfied that they have the relevant qualifications. In both cases, those acts can be added to the services that can be completed by those two categories of dental therapist. By contrast, the third group, the dental hygienist - this is a new group created by this legislation - can perform only acts of a relatively limited scope, including core acts and root planing. The dental hygienists can carry out local, analgesia and orthodontic acts, but only if the Dental Board is satisfied with the qualifications held by the hygienists.

Given that it could be acknowledged that the level of training between the three groups is different and given that the functions they are able to perform have a considerable, if not precise, degree of similarity, why do we need three levels -

Hon Peter Foss: It is historical.

Hon KIM CHANCE: The Attorney General has answered my question before I completed it; however, it is a good answer. We need the three levels of dental auxiliaries for historical reasons. I suppose the logical question to follow that is whether it is intended to roll that triumvirate into a single qualification.

Hon Peter Foss: What probably will happen is that because of the training, we will end up with a niche. The dental therapist and a hygienist will always be separate, but who will end up filling the niche within the school area is an interesting question.

Hon KIM CHANCE: I mentioned earlier that it is a requirement that a supervising dentist must be reasonably available for consultation while any of those three dental auxiliary classes provides treatment to a patient. In private practice only two dental auxiliaries may be employed by a single dentist. In the public sector, such as in the School Dental Service, it is normally required that the same ratio - that is, 1:2 - be adhered to; however, in some circumstances that ratio can be exceeded where it is deemed necessary. When I read that provision I wondered whether it falls foul of the competition policy agreement in that its application to the public sector dentists is different from that to private sector dentists. If in the private sector each supervising dentist is limited to a ratio of two auxiliaries and the public sector has the ability to vary that same ratio according to overload circumstances, presumably, under the terms of the competition policy agreement a competitive advantage is being conferred on the public sector.

Hon Peter Foss: If they are in competition.

Hon KIM CHANCE: They certainly are. I imagine private sector dentists will argue very strongly that they are in competition. I also imagine it is a matter of regulation, rather than legislation. I am not clear on that, but it seems to be the case.

Given that the effect of this Bill is to transfer the regulation of school dental therapists from the Health Act to the Dental Act, I am surprised that regulations concerning school dental therapists can still be made under the Health Act. I have already referred that issue to the Minister who has outlined in which clause of the Bill that appears; it certainly appears in the second reading speech. I ask the Attorney General to explain why that is the case. It seems strange that we are considering legislation that has the effect - it is entirely logical - of bringing the three classes of dental auxiliary into a single piece of legislation, while at the same time taking one class of auxiliary out of the Health Act and bringing it into the Dental Act, yet we are acknowledging that the regulations in respect of those professionals can be still gazetted under the Health Act.

The second reading speech refers to a plan to integrate the School Dental Service into the Perth Dental Hospital. In principle, I do not have any difficulty with the integration as proposed, as long as it is not accompanied by any reduction of services. The Attorney General will forgive me for being a touch nervous about this subject following the federal Budget. The Western Australian Government was providing a very high standard of dental health care. However, the Commonwealth then decided to take over the funding of dental health, and in the last Federal Budget the Commonwealth cut its funding to dental health.

Hon Peter Foss: That is what we predicted.

Hon KIM CHANCE: Indeed. I had a sense of *deja vu* when I found out that that had occurred, because it seemed to me that two years ago, or thereabouts, the Attorney General had predicted that would happen. Perhaps the Attorney General would refrain from making similar predictions in the future!

I support the legislation, on the basis that it makes sense to have a uniform system of registration for all dental auxiliaries, and that may lead to further standardisation in the future, although that is not necessarily predicted as an outcome of this legislation. Once all the classes of dental auxiliary are covered by the same legislation, it will be easier to refine the regulations and qualification criteria to simplify the situation, because it seems odd to have three classes of what is essentially an auxiliary service.

Hon Peter Foss: You will always have at least two classes.

Hon KIM CHANCE: Yes, and I can understand the reason for that, but it is odd that we have three.

This Bill, like any other Bill which has the effect of altering classifications of work and the qualifications that are required to meet the criteria for those classifications, has what the US military would call collateral consequences because it may have an indirect effect on certain other people. Hon Val Ferguson has brought to my attention a matter which had been raised with her by Ms Rachel Barker, President of the Western Australian Branch of the Australian School of Dental Therapists. Fortunately, my colleague in the other place, the member for Morley, was good enough to read Ms Barker's letter during the second reading debate, and the issues which were raised in that letter were addressed directly by the Minister, so there is no need for me to go through that process in detail.

Ms Barker's letter pointed to the fact that while currently the Dental Board of Western Australia recognised for registration dental therapists who had been trained at Curtin University, and public health graduates, including those who had completed public health redeployment training, in future the Dental Board might not recognise some or all of the training in the category of a dental therapist. The Minister addressed that matter by saying that in 1983 there was a rationalisation of school dental therapists and dental therapists, and in that process a grandfathering arrangement was entered into to enable people whose qualifications were insufficient to enable them to do the things that they were doing to continue to practice. The Minister said that he was well aware of the consequence of the passage of these amendments. It was put to the Minister that perhaps he needed to write to the people who might be affected to point out their options. The Minister said that only a relatively small number of people would be affected and he did not feel the need to take that action because, generally speaking, those people understood the situation. I hope that is the case, but it was worth my mentioning that matter in this place, even though it has been dealt with directly by the Minister, in order to keep faith with those people who raised it with Hon Val Ferguson.

The Opposition is pleased to support this Bill, and we hope that in the not too distant future we will see further regulations to amend the Dental Act to reflect the process which this Bill has commenced.

HON TOM HELM (Mining and Pastoral) [7.45 pm]: I, too, support the Bill. I just want to ask the Attorney General one question: Does his choice of tie indicate that he has joined the rainbow coalition?

HON PETER FOSS (East Metropolitan - Attorney General) [7.46 pm]: I thank the Opposition for its support of the Bill. Over time, the health of our children's teeth has improved enormously. That has led to a change in the sort

of work that needs to be done in the practice of dentistry and, therefore, to the recognition that there must be a change in the courses and the skills that people are required to possess. The other factor is the historic situation of the School Dental Service, which was probably the first place to use paramedicals. That is still an unusual situation, although, as the Leader of the Opposition has suggested, in some cases that work is being performed by the private sector. My recollection is that when I was Minister for Health, we let out some of that clinic-type work to the local dentist at Wyndham, and that provided us with a very effective service. Other historic circumstances must also be taken into account.

A number of people have varying kinds of qualifications, and that situation will be preserved. There may always be school dental therapists; it will depend on how the service is run. It is appropriate that we have people who have the capacity and the relevant training to provide a particular service. It may be that over time, with the mainstream qualifications being dental hygienist and dental therapist, the School Dental Service will change to take that into account and one or other of those persons will occupy that position. That is not what is intended at the moment. What is intended is to reflect the historic situation that exists and also the changed circumstances that have led to the different qualifications and courses.

The Leader of the Opposition asked why new section 50D will continued to allow for regulations to be gazetted under the Health Act. The School Dental Service is set up under part 13 of the Health Act. Part 13 on child health and preventive medicine goes further than dealing with just school dentistry. It deals with a number of matters to do with child health and the examination of children, whether by doctors, nurses or dental therapists. Section 337A, which deals specifically with the school dental service, provides that there should be established in accordance with that section a school dental service to provide dental care and treatment for preschool and school children. The parts of that section that deal with the qualifications of a school dental therapist - in other words, how people become one - are subsections (4), (5) and (6), which will be repealed. A new section will deal with the regulations to govern that. This Bill will put the qualification provisions into the Dental Act, but the duties performed will come under the Health Act as part of the general provisions relating to child health. The regulations that will relate to the conduct of the service and will require a therapist who is qualified under the Dental Act must still follow the overriding qualifications of the health service.

I was trying to think of an example to illustrate a parallel. The only one that occurs to me is the Criminal Code and the teachers regulations. The Criminal Code states that it is lawful for teachers to discipline a child because they stand in the place of a parent; yet the regulations of the Education Department limit the way teachers may exercise the power given by the Criminal Code. Although teachers may not be guilty of assault if they discipline a child, they may have committed a breach of the teachers regulations. In this case the same sort of situation applies: Dental therapists are qualified to do all these things, but nonetheless they must do them in accordance with the regulations of the Health Act.

It is arguable that that does not even have to be expressly stated in the Act. It may be argued that of course the therapists must do that in accordance with the regulations of that service. However, it could also be said that it should be made quite beyond doubt, notwithstanding that the rest will be taken out of section 337A. Nonetheless, section 337A will still govern the conduct and duties of a school dental therapist and the regulations will come within the broad ranging overall regulations relating to school health. If we were to take them out, we would end up with a regulation that dealt purely with one aspect of the service, whereas all other parts of the service provided by any other health professional would be found in a different place. It makes a lot of sense in those circumstances to include it. I have dealt with the reason for the three levels; it is principally historical and also recognises that in the current situation a need exists for dental auxiliaries to assist dentists at two different levels of training. Much work is done without all the requirements being necessary.

New section 50F will provide the same ratio for the department and private dentists. It is only under new subsection (4) that the proportion specified in new subsection (3) may be exceeded, if necessary, for the purpose of the school dental service. In other words, if it is able to be done by that method, dental therapists and hygienists should stick to it. The Bill recognises that a social service must be provided if it is necessary, otherwise the same ratio must be adhered to. It is not a matter of saying that it would be cheaper or easier for it to be done with more therapists or hygienists; in fact, it is a matter of saying that a necessity exists that cannot be met otherwise. Therefore, because it is necessary, that ratio could be exceeded. However, the general rule is that the two must be the same.

Hon Kim Chance: It is a very soft qualification.

Hon PETER FOSS: It is; however, we sometimes go overboard in defining what necessary means. Legislation tends to get longer and longer because we try to think in advance what all the possible qualifications should be. There will always be one we miss. If some people feel they are being heavily penalised in a competitive sense because the Health Department is apparently grossly ignoring the ratios, that is the time for them to raise it, and that would be

the time for us to consider it. The Bill seems to honour the idea of matching the ratios as the basic rule, and it is only where it is necessary that they can go beyond that.

I do not intend to respond to comments on my tie. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Hon Barry House) in the Chair; Hon Peter Foss (Attorney General) in charge of the Bill.

Clauses 1 to 14 put and passed.

Clause 15: Sections 50A and 50B repealed and sections 50A, 50B, 50C, 50D, 50E and 50F substituted -

Hon KIM CHANCE: New section 50D(2)(b) covers the acts of dentistry that can be undertaken by a school dental therapist. New paragraph (a) refers to part 7 of schedule 1 on caries detection. Caries detection is one of those functions that may be performed by school dental therapists, but not other dental therapists. It could be argued that caries detection is the equivalent of preventive medicine in the public health service. Although I think it is important that caries detection be a part of the armoury of a school dental therapist it should also be part of the armoury of a dental therapist. Of the three dental auxiliaries, dental therapists are the most highly qualified for the number of acts they can carry out. With the degree of training dental therapists obviously have to be able to carry out all of those other acts why are we not entrusting them, even under special conditions, to carry out caries detection, which would be one of the key elements of the requirements of a dental therapist?

Hon PETER FOSS: First, a school dental therapist has a different form of supervision. Dental therapists and hygienists normally work in a clinic of a dentist or in a place such as the Public Service where dentists are around. Under those circumstances it is expected that the detection will be done by a dentist. The school dental therapist, I suppose, is really the true paramedic, where the idea is to have a broad coverage of the State with school dental therapists who will do the essential work of detection and fillings. Apparently a school dental therapist and a dental therapist receive the same training, but they tend to work only on children rather than on adults. Dental work on adults tends to be more difficult and complicated. Therefore, it is usual for adults to have their teeth checked by a dentist. Schoolchildren have deciduous teeth, but the school dental therapist is able to fill permanent teeth. There tends to be fewer complications with children's teeth.

This method of legislating for health professionals is a half implementation of the Ontario method. It picks out the various acts that people can do and allows them to overlap. It does not go to the next stage of the Ontario legislation which talks about the general areas and the different styles of responsibility. The member will probably recall that the Ontario legislation picks the prohibited acts which a person cannot do unless he or she is licensed. That is, in the areas where one may practice even though doing acts which are not prohibited, but there is a possibility that one may cause some harm, and as long as the ultimate intent is to cause good, and as long as no harm is caused, the practice may continue. The idea is to allow that blurring between the various jobs people do, and to allow competition and natural movement between those styles.

This is the first step. In the prohibited area a person may not do an act unless the person is licensed; and these are acts for which a person can be licensed to do these acts. The style is very much the Ontario style but not a full blown one. The reason is that we will generally find that school dental therapists tend to operate within a system, rather than under direct supervision, with a known clientele of children and a known process. Dental hygienists and therapists can operate on anyone who comes into the clinic, but where we normally expect some of the operations to be carried out by a dentist. When the operations are moved from the dentist to the hygienist they still remain under the supervision of a dentist.

Clause put and passed.

Clauses 16 and 17 put and passed.

Clause 18: *Health Act 1911* amended -

Hon KIM CHANCE: I want to do a double check on the regulations which can still be prescribed under the Health Act. I understand what the Minister is saying; however, it occurred to me that if that is the case, why cannot we simply duplicate the regulations in the Dental Act? On second thoughts, I decided that would not be a good idea because every time we wanted to change the regulations we would be changing them across more than one Act, and that would make life more difficult than it should be; if we did that we would risk amending one set of regulations and leaving the old set in a different Act. At the same time, going through the amendments to the Health Act

regulations which are part of schedule 1 of this amending Bill, some of them - at least clause 18(4) - seem to be specific to the profession of dentistry: The Governor may make regulations prescribing the manner in which acts of dentistry are to be undertaken by a school dental therapist. That is a proposed amendment to the Health Act. I suppose I have just answered my own question! However, it still appears that there is a recognition in the Health Act of the act of dentistry. Would it not be better simply to repeal the references to dentistry in the Health Act and incorporate them into the wording of the Dental Act, because this is specific to dentistry?

Hon PETER FOSS: Yes, it is, but the regulation making power does not have to be confined to that topic; therefore part 13 sets up a whole system for child health. It is not even confined to schools. It is a way of picking up the whole; it is very much community nursing. One may also say it is an old fashioned notion that community nursing should be treated separately from anything else.

Hon Kim Chance: I support that.

Hon PETER FOSS: It fits in with that notion that community nursing and health services should be provided as a whole. The section starts off, for instance, with midwives completing returns on births. It deals with deaths of women in pregnancy and childbirth and deaths of children. It picks up the people who die under anaesthetic regardless of age, the examination of school children, any medical officer or nurse duly authorised, the School Dental Service and so on. It provides a set of regulations which show how to deal with the health of children generally and how to deal with the health of children within the school system as separate matters. It is a service provided by the Health Department as opposed to the qualification of people to call themselves an A, B or C type of person.

Often someone may qualify under an Act, but how a service is provided elsewhere is dealt with differently. A university may give a qualification, but the employing institution will dictate how to use one's skills. That is particularly the case here with school dental therapists because the school health system allows them to perform a wider range of procedures than they would if they were operating at large. The system guarantees their being able to perform that broader range of tasks. Members will see also that the change made by clause 18(2) is that this can be done by any person, whether qualified as a school dental therapist, dental hygienist or dental therapist. It is subject to what is provided under the Act.

Hon Kim Chance: I wondered what that meant.

Hon PETER FOSS: It means one does not have to be a school dental therapist.

Hon Kim Chance: The Act is amended by inserting after school dental therapist "employed in a school dental service". That makes it specific to a school dental therapist.

Hon PETER FOSS: The member is correct. I misunderstood that; I am wrong

If we adopted a full blown Ontario model we would probably restrict it even more to the Act which licences the acts to being very much along the Ontario model. Then we would have the school dental therapy service. In other words we would say that a school dental therapist can perform certain acts provided it is acceptable within the system. Obviously the health system would not want somebody who had been qualified under the Toronto system in various Acts to be doing things other than that which they felt happy with their doing, notwithstanding that they were supposedly licensed under the basic licensing Act. It is logical and necessary that a restriction on what people are able to do is in the Health Act regulations. The Health Department will be responsible for the person carrying out those acts.

Clause put and passed.

Clause 19 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon Peter Foss (Attorney General), and passed.

BANK OF SOUTH AUSTRALIA (MERGER WITH ADVANCE BANK) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Max Evans (Minister for Finance), read a first time.

Ruling - By the President - Breach of Constitution Acts Amendment Act 1899

THE PRESIDENT (Hon Clive Griffiths): Order! Before the Minister proceeds further with this Bill members should be aware that as introduced and read a first time it breaches section 46(7) of the Constitution Acts Amendment Act 1899 which provides that a Bill imposing taxation shall deal solely with the imposition of the tax.

Proposed section 17, substituted in the South Australian Act by clause 4(2)(g) of this Bill, imposes a tax. The fact that it is imposed in a form expressed to be a sum determined by the Treasurer, payable in lieu of all other taxes, duties and charges that Advance Bank would have to pay as a result of its merger with the Bank of South Australia, does not alter its substance. In my view the provision ought properly have been contained in a separate Bill that does no more than impose the tax so as to comply with subsection (7). However, because a similar provision has been passed by this House, for example in the Westpac legislation passed earlier this session, and it appears that the inclusion of the clause is a genuine error, I will not rule the Bill out of order. However, I recommend that after the motion for the third reading is carried, the Leader of the House move the following motion -

That the following message be sent to the Legislative Assembly:

Mr Speaker:

The Legislative Council acquaints the Legislative Assembly that it has passed the Bank of South Australia (Merger with Advance Bank) Bill 1996, but in so doing:

- (a) informs the Legislative Assembly that the Bill breaches section 46(7) of the Constitution Acts Amendment Act 1899 to the extent that clause (4)(2)(g) imposes a tax; and
- (b) records that the passage of this Bill in no way affects the undoubted ability of this House to insist on the observance and enforcement of its rights and privileges under section 46.

Second Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [8.20 pm]: I move -

That the Bill be now read a second time.

This Bill has been introduced at the request of the South Australian Government and Advance Bank Australia Limited as a complementary measure to legislation in that State for the purpose of facilitating the merger of the Bank of South Australia Limited and Advance Bank Australia Limited.

Advance Bank acquired the Bank of South Australia as a wholly owned subsidiary on 1 August 1995. This followed the corporatisation of the former State Bank of South Australia in 1994. Members may recall that the Western Australian Parliament passed the State Bank of South Australia (Transfer of Undertaking) Act to facilitate that process. The merger of the Bank of South Australia and Advance Bank was approved by the Reserve Bank of Australia on the condition that the Bank of South Australia would surrender its banking authority within three years from the date of acquisition. In order to facilitate the surrendering of Bank of South Australia's banking authority, it will be necessary for the majority of the assets and liabilities of the Bank of South Australia to be transferred to Advance Bank.

The principal Act, the Bank Merger (BankSA and Advance Bank) Act, to facilitate the merger was passed by the South Australian Parliament and was assented to on 20 June 1996. The objective of the Bill before this House is primarily to facilitate the transfer to Advance Bank of the assets and liabilities of the Bank of South Australia which are located in Western Australia, save for certain assets which are specifically excluded. Without legislation of this kind, the transfer of assets and liabilities would be time consuming and expensive, with separate documentation being required for the transfer of each individual asset including the borrowings and accounts of more than 4 000 customers in Western Australia.

Recent precedents for legislation of this nature are the previously mentioned State Bank of South Australia (Transfer of Undertaking) Act 1994, the Australian and New Zealand Banking Group Limited (Town and Country) Act 1995 and the Westpac Banking Corporation (Challenge Bank) Act 1996. A condition in each case, and in a number of earlier similar cases, was that the banks pay amounts in lieu of the state government taxes and charges which would have been applied if normal commercial transfers of assets and liabilities had been required.

This legislation is consistent with the Government's objective of facilitating business efficiency within Western Australia, while not prejudicing the integrity of the State's revenue base. It is understood that legislation similar in content to this Bill is being introduced in various other jurisdictions. I commend the Bill to the House.

Debate adjourned, on motion by Hon Mark Nevill.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)*Second Reading*

Resumed from an earlier stage of the sitting.

HON BOB THOMAS (South West) [8.23 pm]: As this is the last general debate in this House before it rises, I take the opportunity to acknowledge the contributions a number of retiring members have made to this Parliament. The first person I acknowledge is Hon Graham Edwards. There is a real affinity between Graham and the public, and it is never more evident than at sporting events or other functions of that nature. People genuinely like Hon Graham Edwards and want to be with him. It is amazing to see the number of people who want to shake his hand or pat him on the shoulder when he is at such events. I do not believe there is a more popular member of Parliament in Western Australia, except perhaps Ernie Bridge. I also acknowledge the work of Hon Graham Edwards as both a Minister and as Leader of the Opposition in 1993. Many of us thought it was an almost impossible task for Graham to take over after Hon Joe Berinson retired, given that Joe was a brilliant lawyer with a great command of economics, and that he knew most of the great literary works by heart. Hon Joe Berinson was a real sage in the Labor Caucus and members thought it would be difficult for Graham to meet those standards. However, through his hard work and genuine approach to matters, he demonstrated that he was a particularly capable leader and he has the same sort of sagacity as Hon Joe Berinson. Unfortunately, his term as opposition leader was cut short because of his mother's illness. He told me that when he had his accident in Vietnam his mother stood by him during his crisis, and he felt a responsibility to stand by his mother when she was ill. He put the welfare of his mother before his career. I take my hat off to Hon Graham Edwards. I know he will be productively engaged in some form of public life after he leaves this place and I extend to him my best wishes.

I also acknowledge Hon Val Ferguson who is coming to the end of her second term as a member. In 1989 Hon Val Ferguson was fourth on the ticket for the East Metropolitan Region, and served for about four or five months in 1993 when Hon Kay Hallahan stepped down to contest the Assembly seat of Armadale. Parliament did not sit at that time so Hon Val Ferguson did not have the experience of listening to and making speeches in this Parliament or of sitting in this place until the early hours of the morning. She became a member for the second time when Hon Tom Butler retired. Hon Val Ferguson has made a good contribution in the short time she has been in this place. I have enjoyed working with her. Hon Val Ferguson is a legend in the Labor Party; she has been involved in more campaigns and helped more candidates than anybody I know of in the party.

My colleague from the South West Region, Hon Doug Wenn, has chosen to retire as a member. I understand he is planning some aquaculture venture. He says he is not retiring but is changing occupations. I wish him well.

The other member in this place who will stand down is you, Mr President. We should all recognise that you are the longest serving Presiding Officer in any Westminster system of Parliament and you have been a member of this place for 30 years, or more years than you care to remember. The President encouraged me to be involved in the Commonwealth Parliamentary Association, and I have benefited a great deal from that. I wish you well, Mr President, in your new career in London and I hope to have the opportunity of calling on you at Westralia House in the Strand.

I will be particularly sad to see Hon Sam Piantadosi and Hon Alannah MacTiernan leave this place. I know Hon Alannah MacTiernan is standing down in order to contest the Assembly seat of Armadale, and I understand Hon Sam Piantadosi is considering contesting the seat of Yokine. I extend every good will to Hon Alannah MacTiernan. I am particularly sad that Hon Sam Piantadosi will leave this place, because I have enjoyed many of his speeches, especially those about the horticultural industry, and the Water Authority and the cockroaches. He told the story of being on site with the then Minister, Hon Graham MacKinnon, and after they lifted a manhole cover on one of the sewers, he was covered with cockroaches. I shared an office with Hon Sam Piantadosi for four years, and became used to his talking loudly in Italian, smoking cigarettes and bringing lots of very colourful characters into the office. I particularly enjoyed those four years. He is a good person and, although my money will be on the Labor candidate in Yokine, I still have a soft spot for Hon Sam Piantadosi.

Hon Alannah MacTiernan has made her mark here. She is a particularly capable performer in the Parliament. More than that, she has impressed me with her commitment to social justice and her untiring work to improve the lot of the ordinary working families of Western Australia. That is borne out by the large number of urgency motions that she has moved and debated very well and the fine contributions she made to the workplace agreement and workers' compensation legislation, which I felt were particularly inimical to our traditional constituency. Hon Alannah MacTiernan was able to bring some very relevant and interesting analogies and case histories to the Parliament when she debated those issues. She is genuinely committed to improving the lot of ordinary working families in Western Australia. I am particularly keen to see her do well. I know that when we return to government, Hon Alannah MacTiernan will be a Minister in that Government and she will do particularly well.

The other person leaving is Hon Iain MacLean. He entered this House under the tragic circumstances of the death of Hon Bob Pike. He has had a very short stay in this House. I cannot extend the same goodwill to him that I extended to Hon Alannah MacTiernan, given that we would like to win back the seat of Wanneroo. However, it has been a pleasure working on the Estimates Committee with Hon Iain MacLean. I still tell stories about our trip to New Zealand with the Estimates Committee. Also on that trip was Hon Murray Montgomery, Hon Muriel Patterson, and our clerk Karen Schmidt.

Hon Reg Davies: I did not read about that in the West.

Hon BOB THOMAS: It was a hard working trip. We had one day off when we arrived in Wellington. It is a beautiful city but it was a typical windy Wellington day, as was the second day. Hon Iain MacLean arranged to hire a four wheel drive and go on the ferry to the South Island. He generously extended an invitation to me and the others to join him. My preference is to get into the middle of cities, take tours and soak up the history of those places. I declined his offer much to my good fortune, because it must have been the windiest, roughest day in New Zealand's history. There were 20 foot waves when the ferry headed for the South Island. I believe everyone was lying in the aisles as crook as dogs and vomiting everywhere. Apparently, the drive through the snow on the mountains was another hair-raising experience for Hon Iain MacLean and the people with him. However, they came back safe and well, very late, and we managed to get on with the business after that. I hope Hon Iain MacLean enjoys his retirement.

Some very interesting characters are coming into this place to replace those people who are retiring. The two coming in to represent North Metropolitan Region are two very colourful characters. They are Ken Travers and Ed Dermer. Both know how to count and both know how the standing orders work at annual general meetings. They will quickly adapt themselves to the standing orders of this House and will make good contributions. If we thought we were getting rid of somebody who has stood this House on its head at times, Hon Alannah MacTiernan, we should fear not, because Liliana Ravlich is coming in. Liliana is from the same mould. She has that same exuberance. She also has the same commitment to hard work that Hon Alannah MacTiernan has. I am looking forward to watching Liliana contribute to debates in this House. I assure the House that it will not be boring.

Two other people have good chances of being elected. The first is Kate Doust in East Metropolitan Region. She is No 3 on the ticket. She is a very articulate, caring and knowledgeable person. Many people know her through her work with the Marangaroo Primary School organisation that is trying to get better facilities for the school. If she is successful, she will make an excellent contribution here. Geoff Donegan is No 3 on the South Metropolitan Region ticket. With a little luck and the proper flow of preferences, he has a good chance of being elected, albeit at the expense of another good contributor, Hon Jim Scott. That will go to the wire. However, one of the two will take his place here after 22 May next year. Finally, Lois Anderson, the Assistant State Secretary of the Labor Party, is No 3 on the South West Region ticket. She has been around the traps for years. She is a nurse and grew up in the Ludlow area. She has spent a lot of time working for Ministers, including Hon Julian Grill when he was Minister for the South West. She has worked in the Canberra party secretariat and for Michael Beahan at various times. She is a very knowledgeable person and very committed to the Labor cause. I expect that she will be a good contributor.

I want to raise a few issues relating to my electorate that I think are important. The first relates to the uncertain power supply in the Manjimup area. Over the past couple of years I have received many complaints from people in the east Manjimup-Nyamup area and from the western side of the town of Manjimup about the frequent blackouts. Sometimes they last for many hours and at other times the power goes off momentarily. Dozens of these occur each month and are causing problems for many people. The two main supermarkets in town find it inconvenient. Although they have their own emergency power supplies, they are not sufficient to run all the fridges and freezers in the supermarkets as well as the lighting. When there are blackouts in the central business district, the shops must have very temporary limited lighting as well as some freezer and fridge capacity. Grave concerns are held by the managers of those shops that in the darkened conditions, customers are at risk of injury which may lead to substantial litigation against the companies.

I also have sympathy for people in the west Manjimup area. Many people work in the timber industry and other blue-collar type occupations who are required to start very early in the morning. Timber fellers frequently start at first light at five o'clock in the morning and are dependent on alarm clocks to ensure that they are at work on time. As anybody who has an electric alarm clock knows, when there is a power cut, even for just a moment, they switch off and revert to 12 o'clock. Many people have been disadvantaged by this. I blame the cost cutting exercise that Western Power has engaged in over the last couple of years. I have spoken in this House about the way Western Power is running down services in Albany. I do not intend to talk about that today. However, I believe it has run down the services provided by staff at Bridgetown to the point where people with a fault in the Nyamup area suffer the ludicrous situation of having to phone Perth only to be referred back to Bridgetown. In the past when there were after hours numbers it was very easy to get through. Now somebody with a computer in Perth asks them for their

street number. These farmers do not have a street number. The computer is not able to handle only the name of a road. I have spoken to people who have spent three-quarters of an hour waiting to get through to Bridgetown to report a fault.

Western Power must look at itself and the way it is running down services in country areas. It must accept that it is more expensive to provide services in the country than in the city and so it must cross-subsidise country services for a number of reasons. First, the country is where most of the State's wealth is created. We need communities in country areas so that we can continue to provide that wealth. A reliable electricity service is essential. Western Power is cutting off its nose to spite its face with this penny pinching, cost cutting approach to services in country areas. I spoke about this to Arthur Tunnecliffe on one of the occasions when I was in Bunbury. I intend to take up the issue in Manjimup with him in the near future.

I will refer to a couple of issues in the Bunbury area. Something must be done immediately with Eccleston Street. It is a link road between Brittain Road and the northern part of Carey Park. At the southern end is a trotting track, and frequently horses cross there. A number of seniors live in the street and there is the Carey Park School. Many young school children cross that street in the day; out of school hours many cross to play in Carey Park. I have spent some time in the area speaking to people and I know they are particularly concerned about the speed limit there. I am keen to see something done. I do not know whether we need to put in visual barriers or chicanes or lower the speed limit, but I intend to take that up over the next few weeks.

Street lighting in Mondak Place, which runs alongside Kelly Park football oval, is also an issue. I understand Hon Doug Wenn achieved some of his greatest feats as a footballer with the Kelly Park football team. He is not present, but if he were I would tell him that I did not know that ballet dancing was football. Mondak Place is a relatively short street with a dogleg in the middle. There are no street lights between the Xavier Street-Mondak Place intersection and the corner. The road is a couple of hundred yards in length and has very bushy trees, which shade the 50 watt globe outside No 5 or 7 Mondak Place. Residents of the street are concerned for a number of reasons. They believe the situation is dangerous to pedestrian traffic, and a lot of pedestrians use the street. There is a supermarket at the eastern end of the street as well as Kelly Park playing fields. The situation is quite hazardous because of the lack of light. Cars travelling east or west along Mondak Place frequently run off the road onto the verge, placing pedestrians at risk. A few months ago a gentleman was attacked with an iron bar and had his wallet and shoes stolen because it was very easy for his assailants to hide in the shadows and surprise him.

This is also of concern because the growing number of seniors in the area use the supermarket. Two or three new Homeswest Seniors units have been built on Xavier Street opposite the intersection. Homeswest is doing a good job by providing the extra seniors units, but the increasing number of seniors in the street are at risk because of the inadequate lighting. I have spoken to representatives of the council who tell me that they have a policy of having only one light at every second power point. In this case it is inadequate. I hope I will be able to come up with some sort of compromise which will meet the needs of the residents as well as not impacting adversely on the council's budget. I want to acknowledge the work of Amanda Portman who lives in the street. She has taken up the issue and collected a couple of pages of signatures while sitting outside the local supermarket and encouraged residents to be proactive and to do something about it. We must encourage people with initiative, because proactive people make our communities better.

I will also address the issue of live sheep exports from Bunbury. Hon Geoff Gallop was right when he announced last Monday that a Labor Government would ban live sheep exports from the City of Bunbury. I have spoken to many people in the Bunbury area in the last two months, for many of whom it is a major issue. People who live in Bunbury close to the port and who are affected by the smell and traffic are particularly concerned. In question time today I mentioned a survey that showed that between 80 and 90 per cent of people in the east Bunbury area are opposed to the transport of live sheep through Bunbury, although the percentage in the greater area of Bunbury is significantly lower. However, members would be surprised at the strength of feeling about the issue from Withers in the south to Australind in the north of the Bunbury area. Their feelings range from believing that this trade is costing jobs for Australian meatworkers and we should do everything possible to slaughter those animals in Western Australia and export them chilled, to believing that it is a cruel trade and they cite the boat which burnt and sank off Madagascar a couple of months ago. I believe that a majority of people either support the concept or are ambivalent about it. There is no place in Bunbury for live sheep exports. I stand by my leader's announcement that the Labor Party, if it wins government, will ban live sheep exports from Bunbury.

Earlier this year the Town of Albany made Enid Holme a freeman of the town. I do not believe that any more worthy person could be awarded the freeman of the town than Enid. She is larger than life. She is involved in more organisations than I could list here tonight. She has had a long association with Albany. It goes back to the Second World War when her husband was stationed at the forts. She has a real love of history. She is a member of the historical society and is involved in a lot of good work in the town. I would like to impress on the House that Enid

Holme and Lionel Berryman were instrumental in the plan to build a chairlift from the Middleton area up to the northern side of Mt Adelaide. There was at one time a proposal for a luxury hotel to be built there. It would have had commanding views from the best site in Albany of all the islands, including Michaelmas Island, to Emu Point and down the south coast to Whaleworld and Bald Head. However, the proposal would have compromised the value of the forts. Fortunately, Enid and Lionel and a number of other people in Albany impressed upon the former Labor Government that they did not want to see that development go ahead. Hon Brian Burke, who was the Premier at the time, knocked the proposal on the head. If that development had gone ahead the forts area would have been spoilt. It is one of my favourite places to visit. Whenever any visitors come to Albany I take them up there. I doubt that would be the case if a commercial hotel had been built there. Hats off to Enid for her work there, and for all of the work she has done in Albany. She is a great person.

One of the best sporting events in which I have participated is the Manjimup J.B. Ipsen golf event held on the last weekend of October every year. About 300 golfers, as well as their spouses and families, from all over the south west, the metropolitan area and from as far away as Merredin participate in this event. It gets bigger and better every year. It is a huge fillip for the local economy. I estimate that with accommodation and other hospitality services, the town benefits each year to the tune of about \$60 000. The club uses the event to balance its books; it raises between \$20 000 and \$30 000 a year. It is a fantastic event and everybody looks forward to it. However, it should be acknowledged that a lot of hard work goes into organising the event. Peter Aram and Robert Kamman, two people for whom I have a lot of time, ran the event for four years. They put in probably hundreds of hours in the months leading up to the event, sending out invitations, accepting nominations, and getting the trophies. The business sector of Manjimup excels itself in the quality of trophies that it donates to the golf club for this event. After four years they have taken a well earned retirement. They were capably replaced by Peter McLoughlan, a good friend of mine, and his wife Liz and Murray Edwards. This year the event ran like clockwork, and it is a tribute to the work that they put in. I was pleased to see Cliff Humphreys win the event this year; he won it quite easily. He is a bit of a battler. He always puts a lot of time and effort into the club during the season using machinery on the course. He is an amiable bloke and a pleasure to walk around the golf course with. It made my day to see Cliff win the event.

The last issue is quite sad. It involves the passing of a good friend of mine, Anita Shearer. Anita lived in Lockyer. She was a supporting parent. She had a couple of teenage children and a younger one. She was no Rhodes scholar or supermodel. However, it was my good fortune to strike up a conversation with her, and I found her to be a magic person. She lived for her children and grandchildren - and for country music. She had a kidney or liver problem which caused her to be overweight. However, she had the most beautiful personality. I had many pleasant conversations with Anita. Just recently she died tragically at the age of 43. We do not know the cause, whether it was a bee sting or complications from her medical problems. Her death has been a loss to the community of Lockyer. She was larger than life and had a heart of gold. Nobody in that community ever went without, because Anita would hear about it and would help them out. I went to her funeral and was pleased to see in attendance so many people from all walks of life. Her charm was well acknowledged by them all. A very sad moment during the funeral service was when her favourite country and western song "Teddy Bear Trucker" was played. There were grown men with tears in their eyes; I was one of them. People who I thought were a bit harder than I were weeping. It was a lovely tribute to Anita that so many people attended her funeral to send her off in such fine fashion. I will miss Anita and her homespun wisdom. The residents of Lockyer will miss her even more. I commend the Bill to the House.

HON CHERYL DAVENPORT (South Metropolitan) [9.00 pm]: I wish to cover three issues in this debate: First, the fortieth anniversary of the WA Council of Social Service; second, the consequences we might expect to flow from the commonwealth Budget in relation to aged care; and third, a matter of which members who contemplate moving office in the near future should be aware before embarking on that course.

I too place on the public record my farewells to members who will be leaving the Legislative Council, given that we may not have the opportunity to make these comments later. First, I wish you, Mr President, well in your future career as Agent General in London. Since my election in 1989, I have always found you to be extremely fair to me. In the first few months as an elected member, whenever I met you at social functions or at schools, you always made me feel welcome and I never felt that we were enemies as political adversaries. I always very much appreciated that courtesy. I wish you well. You have certainly had a long career in this place, and this Parliament is much the better place for the contribution you have made.

Next, I wish my colleague Hon Graham Edwards a wonderful and rewarding retirement. I knew Graham before he was elected to this place when we were involved in the hurly-burly of the 1983 election campaign in the northern suburbs. At that time I found him to be, as he continues to be, a hard worker. He has brought much fresh air and sunshine into this place over the years, and I wish him well for the future.

I do not know Hon Doug Wenn as well as I might, but he seems to be planning for himself a very rewarding future. I wish him and his family well.

My very good friend Hon Val Ferguson is leaving. I am pleased she is not here tonight as I may otherwise have become a little emotional. I am sad that she is having to leave this place. In the hurly-burly of party politics, at times very harsh decisions are made. The decision in relation to Val was one of the hardest to which I have had to be party. I hope that she can find it in her heart in the years to come to forgive some of the people involved in that decision. I wish her well for the future. She is not sure what the future holds for her but, knowing Val, I am sure she will rally and make a contribution in whatever field she chooses to pursue.

Other members are leaving this place with the ambition of heading to the other place. The first is Hon Alannah MacTiernan, who has been a very vigorous contributor over the term she has served in the Legislative Council. No doubt she will make a very good member for Armadale. I wish her well. I have no doubt that when we win government, she will do us proud as a Minister.

Hon Iain MacLean and Hon Sam Piantadosi are both leaving to contest Assembly seats. I wish them well - although not too well, as I hope that we will see Labor members elected in both of those seats!

Finally, another person leaving and who has been my good friend, as well as a colourful person in this place, is Hon Phil Lockyer. I wish him well in his retirement.

Hon P.H. Lockyer: Thank you. I will be retired from Parliament, but I will still be working.

Hon CHERYL DAVENPORT: I am sure the member will find many things to do which will be equally productive as his time served here. I wish all the people leaving this place well, and I hope that those leaving Parliament will lead healthy and rewarding lives out of politics.

I turn now to the fortieth anniversary of the WA Council of Social Service, which occurred on Monday, 4 November this year. The anniversary is being celebrated with a conference held at the Radisson Observation City Hotel. I paid the registration fee to attend that conference yesterday and today, but I was unable to attend as a result of the recall of this place. However, I had the opportunity to attend the opening on Monday evening, and I report that the theme of that conference is "Celebrating Community - Building our Future". This is a good and timely theme for the community service sector. According to the records of the organisation, this is probably the first statewide broad policy conference the organisation has held in its 40 year life. I will read into the record a couple of paragraphs from the conference conveners' letter to all delegates -

The idea for a conference emerged over a year ago when WACOSS and the sector were going through torrid times. With WACOSS about to turn 40 years old we felt it was a time to celebrate and to take stock of the recent past. We also felt it was important for the social and community service sector to have an opportunity to value itself and 'feel good' about its place in society.

In retrospect, the idea to organise the conference when we were not even sure whether WACOSS would still exist was perhaps more foolhardy than brave. On the other hand it was also a very useful positive event to focus energies on.

As well as celebrating community, the Conference theme sets the ambitious aim for the 3 days to map a way forward in light of the challenges we face as a sector and as a community. For too long, many believe, the sector has been reacting to an agenda set by government and by the economic fundamentalists. Maybe this Conference will give us some confidence to start setting or at least join in setting the agenda.

It is very commendable that an organisation, which certainly was in jeopardy this time last year, has the ability to reflect upon itself and to set new goals for the future. The keynote speakers attending the conference are Hon Cheryl Edwardes, the Minister for Family and Children's Services; Dr Geoff Gallop, the Leader of the Opposition; Ms Jan Carter, a professor of social policy at Deakin University; Robert Fitzgerald, the National President of the Australian Council of Social Services; Julian Pocock, from the Australian Youth Policy Coalition; and various speakers from the Melbourne-based Brotherhood of St Laurence.

A range of interesting workshops is considering policy, particularly for young people, families, and aged care services, in relation to the user-pays system, which Governments and the community are being increasingly forced to embrace. Towards the end of last year the WA Council of Social Service (Inc) was facing watershed decisions to survive. In this instance I commend the Premier's decision in December last year to move the portfolio of Family and Children's Services from Hon Roger Nicholls. That decision has been a major factor in the survival of this organisation, as has the determination of the management committee in negotiating positively through adversity with a view to continuing to provide its very necessary service to the Western Australian community.

Professor Jan Carter, a former Western Australian, who worked in the community services sector in this State until the mid-1980s, gave the keynote address at the opening of the conference. Her address, entitled "A best practice community service agency", provided food for thought in the debate relating to community services in the 1990s.

During her address, I wrote down some of her key comments and observations. She raised a number of questions that I believe people in political parties should confront in the development of policy. Members of Parliament, particularly those on the opposition benches, must acknowledge there is much anxiety throughout the community about general life security. That is more magnified in specific groups, the first being young people and their fear of remaining outside the job market; second, older men who have lost their jobs and do not view with a lot of certainty the future -

Hon Graham Edwards: You are not looking at Reg Davies are you?

Hon CHERYL DAVENPORT: - third, people of non-English speaking backgrounds who are battling to remain in the work force; fourth, Aboriginal people; fifth, people with disabilities; and, finally, families who worry about how they would be able to educate their children and give them the opportunities they deserve in life.

Professor Carter raised a second very interesting issue. She said that in the Australian community there has been a growth or escalation in consumer capitalism and that advertising seems to convey the view that the market promises a fun lifestyle. She made the observation that perhaps we could say that shopping represents the new form of religion, and shopping malls, the churches. She suggested that we need to ask just what customer and consumer mean, rather than client or citizen, the former definition of a person within the community, and to look at the outcome of rationing of services to the most needy. She also talked about the culture of competition and what that means for ordinary people. Recently Governments have tended to adopt the view that their role, rather than to be providers of services, is to be the purchasers of services. My belief is that that is an abrogation of the community service obligations of government.

Professor Carter also asked the audience whether it believed citizenship and consumption were the same thing. It was interesting to note that formerly in the community services sector, agencies were enlisted as mediators, between the customer and government, for the provision of necessary community services. To some extent that has changed. Having said that, we must now ask whether we want community services to be delivered as little fingers of the State. To me that means an extension of government and does not necessarily give the community the ability to participate equally in the process. I also wonder whether we should act to temper the excesses of the State and the ravages of the market and look at the importance of citizenship and whether we need to have a new debate that takes into account the whole notion of the potential excesses of the State and the ravages that the market can cause.

The community services sector should be equal participants with the State and the market, and not be seen as the poor relation. Unfortunately with the advent of conservative Governments we are seeing the community services sector bearing the brunt of economic rationalist policy. We really need to look at that debate again and to define just what we, as a community, want.

Hon Reg Davies interjected.

Hon CHERYL DAVENPORT: That is an element of it. Credit cards are very easy to obtain. It is an example of the market at work. People do not have to go very far; it can be done over the telephone. Some people are very tempted by the advertising wave that is coming at them all the time, suggesting they should buy, buy, buy, and that consumerism is the be-all and end-all of what life has to offer - and that is a very sad thing.

I digress. Another area I will comment on relates to the user pays system, which seems to be becoming pretty much the path we will be expected to go down in the provision of aged care. I refer specifically to the home and community care program, which is preinstitutional care provided by government and the community to make sure people can stay in their homes for as long as possible. People have talked about a HACC fees policy since the legislation came into being 10 or 11 years ago, and certainly from my knowledge for the past five years. Recently I had occasion to be presented with a paper that was given at the annual general meeting of the Western Australian Network, which comprises the coordinators for the home and community care programs around the State. The speech given at the meeting by the senior person in the HACC central unit of the Health Department in Western Australia mentioned a few things which disturbed me in terms of what it might mean for people currently accessing these services. The paper indicates that the final draft of the fees policy was completed in late 1995 and it is now in front of the Council of Australian Governments for discussion and adoption.

I am told that new HACC agreements are currently being devised and are with the States, but to date no State has signed them, which indicates that a range of issues still needs to be ironed out in the transfer of aged care money to the States. I know that the Minister for Finance plays a role in COAG, and I would like to warn him of some of the things that I regard as critical to allowing people to remain in their homes and not be institutionalised long before they should be.

The federal coalition promised prior to the federal election that there would be 6 per cent real growth in home and community care funding. It is proposed that not all of that growth will be from government outlays but will be met

partly from user pays fees. That is fine, but many States have yet to have a target imposed upon them. The target that has been talked about is that 20 per cent of the funding for home and community care services should come from user pays fees. In Western Australia, for example, currently only 6 per cent of HACC funding is raised through either user pays charges or donations made for individual services. Victoria has already reached 18 per cent. That means that Western Australia will have to make up some 14 per cent by 2000, and that by 2000, an extra \$17.5m of the current funding will be raised from user pays fees rather than from government grants. Currently, most of the HACC programs of which I am aware have some small user pays fees. The program with which I have been associated for a number of years resisted the imposition of a fees policy until about 12 months ago. However, we found that the demand for the services that we were offering was so great that it appeared that the funding for the program would blow out towards the end of the financial year, so we had little choice but to impose a fee. That fee is very modest; nevertheless it is quite difficult for some people to raise.

The key features of the fees policy is that fees should be charged for all HACC services except for information, advocacy, friendly visiting and carer support. There would be a charge for people to receive paramedical services like a care aid but not actual nursing, or to have someone clean their home, mow the lawn and tidy up the garden, or provide handyman-type services. While that might sound reasonable on the surface, many consumers need more than one service, so it could become quite expensive. An hourly rate is being considered.

Members should be aware that 93 per cent of the consumers of the HACC program are pensioners, and 60 per cent of that 93 per cent receive a full pension. The paper suggests that it would be reasonable for people who receive a part pension, and the remaining 7 per cent who do not receive a pension, to pay more. A safety net has been suggested that will attempt to keep the charges for multiple or heavy users of the service to a reasonable limit. The limit that is suggested is around \$30 a week, and that would not include things like transport, meals on wheels and home maintenance. The service with which I have been involved for a long time has a \$25 a month fee, which is for people who access more than two hours' services a month. People who access up to two hours' services are charged \$10, which we think is fairly reasonable. My assessment is that many people will not access the service if they must pay \$30 a week.

Hon Reg Davies: What if they could not pay the \$30?

Hon CHERYL DAVENPORT: The fees policy states that if hardship can be demonstrated, the fee shall be waived, and I do not have a difficulty with that; that is the sort of policy that we invoke within our service. On only two occasions has someone asked for the fee to be waived. Many of the people that we are talking about live on their own and are in their eighties and nineties. Those people are very proud, and if they cannot afford to pay the fees they will not use the service because they do not feel that they can ask for any alleviation of those fees.

Hon Reg Davies: I have always found that if you ask for a donation, you are generally better off.

Hon CHERYL DAVENPORT: We did that for over four years, and in 1995-96 we had such a major demand on our services that we had no choice but to move to a user pays system because the problem was that the same people were paying all the time and 50 or 60 of the 260 were paying nothing. Given that we wanted to provide the service, we did not have a lot of choice, because we knew that we would run out of money, particularly in the winter months when the service is most necessary for many people. That is one real area of concern, and I urge the Minister for Finance, when the fees policy hits the agenda in the COAG discussions, to keep an eye on those things, because it would be a travesty of justice to implement a fees policy that meant a lot of people would drop out of the services that are currently being offered across metropolitan and country areas in all the States.

A view exists that a scale would be set of different rates for full pensioners, part pensioners and non-pensioners. The Silver Chain Nursing Association is a big bureaucracy and has the ability to have a big accounts department that could render those accounts. However, such a scale would cause a major problem for the smaller services across the State. Only in the past three months the service in which I am involved reviewed its charging policy and decided to move to the two-tiered approach. The procedure of accounting for small charges of \$5, \$10 or \$12.50 was a nightmare to administer. Most non-government programs have only a 19 hour a week position that can deal with those sorts of accounting problems. There are many hidden pitfalls about which people who are at the coalface delivering and administering these services can tell Governments. One of the big problems is that they are dealing with a bureaucracy in the centre of Perth that comes under a central bureaucracy in Canberra, which is even more removed from the people. That is where these sorts of decisions are being made. Not a lot of consultation goes on with the people providing the service in the community.

With the increasing ageing population with which Australia must come to terms, we must be clear about how we will put in place a full user pays system so that we do not deny many people those services. The outcome of denying people those services is that people are in institutions far earlier than they should be. That would be a far bigger

stretch on the government resources than would be a well administered home and community care system, particularly for the frail aged and younger disabled.

The other area that it has been suggested will suffer a hefty rise is the fee for daily attendance at a frail aged day centre. The fee that is charged at the centre in which I am involved is \$2, plus a meal, which usually makes it \$5.50. An increase to \$12 a day, including meals, has been suggested. For carers who deal with people with dementia or Alzheimer's disease, that respite is critical for them to be able to keep their loved ones at home. They are two areas of real concern I have about the move to a user pays policy for aged care and younger disabled.

The final issue I will mention relates to moving from an electorate office. Since I have been a member of Parliament I have moved offices three times. Only one of those moves involved a fit out of an office; the other two were to existing offices. I have never experienced such difficulties as over the past few months. I moved temporarily to Canning Vale two years ago because of a leasing arrangement that could not be effected for the office I had previously. That office had housed Hon Barry MacKinnon; Mike Board, the member for Jandakot; Hon John Halden; and, latterly, me. I had been looking for other accommodation that was closer to the centre of my electorate. We were notified in March this year that the lease for the Canning Vale office was to expire in June and that we had to find another office. By 12 May I found potential accommodation in another suburb - then the rot set in.

For a start, it took 12 weeks for the approval from the Premier to come through. We were then given a range of different dates on which we might move to the office. The fit out and moving of electorate offices is now contracted out. In the past it was done by the Building Management Authority's day labour work force, which, following my recent experiences, was much more satisfactory. The Ministry of the Premier and Cabinet now appoints a consultant who contracts a builder to do the fit out inside the office. The builder must organise the removal of all the furniture and cartons from our office. We were told that the workers would be there last Friday at 7.45 am, so we duly arrived in time. They did not arrive until 11.15 am. For all that time the Ministry of the Premier and Cabinet could not find them. They finally turned up and loaded up everything, and off we went to the new office. It was a shambles on arrival. The airconditioning in the new office was still not in operation; the ceiling was open; no telephones were connected; no lines were in for the facsimile machine; and the computer connections were not completed. It was generally a mess. It obviously was not able to be sorted out on the day of the move; therefore, everything was left stacked and we were totally out of operation on the Friday. We got there on the Monday and nothing much had changed. There were still no telephones. There was nobody to help us move cartons that were stacked seven high. There was plenty of jumping up and down - and two days later it is not much better. The redirected telephone number did not even have my name on it. It was for the Office of State Administration, and it then gave another number, which was not mine.

Hon John Halden: It was mine!

Hon CHERYL DAVENPORT: Yes, that was amazing. It has been highly unsatisfactory to not be able to offer a service. There are still no signs on the office indicating that we are there and there are no blinds at the front of the office. It is not good enough. I intend to write to the Premier because I do not think a member should be out of action for the best part of a week.

Hon Graham Edwards: Which lower House electorate have you moved into?

Hon CHERYL DAVENPORT: I think it is currently Melville and will be Willagee. From the occupational health and safety aspect for staff, this situation is disgraceful. I am told that this is not the only case involving contracting out that has created this sort of problem. If that is correct, things must be looked at. The whole system must not be as chaotic in future. In the new year a number of members will want to relocate and new members will come into the Parliament. One hopes that the department that is responsible for this area tightens up its act before that occurs, otherwise there will be many unhappy members across the State and a lot of flak will descend on the Government of the day, whichever party it is.

Hon Graham Edwards: We'll fix it up in government.

Hon CHERYL DAVENPORT: I hope Hon Graham Edwards is right. I support the Bill.

HON J.A. SCOTT (South Metropolitan) [9.40 pm]: This is not intended to be a valedictory speech - I intend to come back next year - but I would like to say that in the time I have been here I have come to appreciate the very good nature of the differences of opinion that have been expressed in this place, for the most part. Whatever the difference of views, once we walk out the door, that is put aside, for the most part. In many respects, that is a very healthy situation. I wish well those members who are not coming back to this place - Hon Doug Wenn, Hon Sam Piantadosi, Hon Alannah MacTiernan, Hon Val Ferguson and Hon Phil Lockyer - all of whom I have enjoyed working with. Of course, the President is about to become Agent General in London, and I wish him well in his new career. The other people who have worked well in this place are the Clerks; the Chamber assistants; the Hansard

reporters, who must correct our sometimes less than perfect English; and the security staff, who must listen to our speeches for long periods even if they do not cover matters of interest to them.

I move now to the inevitable subject - the environment. I am afraid I have some rather harsh words to say at this point. The Government's failure to comprehend the need for good environmental policies and practices has caused me great dismay. Rhetoric will not conserve our environment; it will not provide clean air or water or ensure a good future for this country. Prior to the last election the Government made a great number of promises about its future policies. I refer to the editorial in the May edition of "Greener Times", which states -

With the State election approaching the Premier has a big credibility problem. He came to power promising open, honest government. His environmental policies won praise from conservationists and the public. But he has failed so far to honour them.

That is a reality. On 30 October I asked the Premier a question about that matter -

- (1) Did the Premier promise to explain to the people of Western Australia if he failed to honour any of his 1993 election commitments?
- (2) Is the Premier aware that most of his environmental commitments have not been honoured?
- (3) Will the Premier provide me with the detailed explanation he promised for each of the commitments which have not been honoured?
- (4) If not, why not?

As to the first part he said that he had, and further -

- (2) The Government is proud of its environmental record during its first term in office, which has seen substantial increases in the budget of the Department of Environmental Protection for 1996-97. The Government has introduced a range of new initiatives which has led to issues such as salinity, coastal waters, conservation, feral animal control and environmental considerations within planning procedures being seriously addressed, some for the first time.
- (3)-(4) There are few areas where the Government has not been able to introduce the planned commitments with regard to the environment.

That was not an honest statement. It was full of platitudes, because according to the Conservation Council, which went through the environment document dated 13 January 1993, of the 216 environmental promises, the Government has honoured fewer than 20 in its time in office.

I have a list of the Government's failed promises. The Government has failed to do the following: To complete the state conservation strategy; to declare the promised new national parks - Mt Roe, Mt Hart and Wilbinga; to take action against air pollution; to complete the state wetlands policy; to provide an effective support for land care groups; to make further Ramsar convention nominations; to implement the proposed amendments to the Wildlife Conservation Act - which the Minister now tells us is not a priority, but was a priority before the last election; to prepare the amendments to the CALM Act; to legally establish regional parks; to introduce legislation to protect stromatolites; to create a scientific park at Port Kennedy, although we now hear that it may be a promise during the next election campaign; to create the Peel regional park; to create the Jandakot botanical park; to carry out a full biological survey of the State; to combat dieback in national parks or to set up a dieback research institute; to establish a coastal protection council and a wild and scenic rivers commission; to appoint a greenhouse response commission; to complete a detailed inventory of Western Australian wetlands; to introduce a new Waterways Protection Act; to establish a waste reduction and disposal authority; to act on salinity problems, which was one of the Government's bigger promises; to review shipping routes to protect marine conservation areas; to implement a ban on detergents containing phosphates; to establish a system of marine reserves; to establish a marine park authority; to expand the conservation estate to protect the habitat of all endangered species; to create a register of contaminated land; to establish a de-inking plant in Western Australia; to provide a user friendly, pollution free, inner city transit system; to treble the number of high schools specialising in environmental studies; and to establish an arboretum and botanical garden in the Pilbara. That list represents a total negation of the promises made by the Government. The Government has not been honest.

However, it is interesting that against all the advice of the people working in the conservation movement, the Government has split the Environmental Protection Authority; it has sacked the EPA board and its chairman; it has refused to join the National Environment and Protection Council; it has refused to sign the national biodiversity treaty; and it has cut funds for environmental protection and nature conservation. The Government has dismembered the Water Authority and replaced the Water Resources Council with a commission dominated by male mining

executives; it has cut funding to the voluntary conservation movement - indeed, it made sure the funding was about a year late; it has failed to implement the Ramsar report on the EPA, and it has abolished the social impact unit. This Government has also granted Western Mining Corporation Ltd an exemption for two years from the Kalgoorlie air pollution environmental protection policy; it has supported the logging of heritage forests at Jane, Sharpe, Kerr, Hester and Giblett blocks - and in the last case, it has even allowed illegal logging without any censure of CALM or the company involved, both of which must have known that the logging was being undertaken on the wrong block. The Government has rezoned parts of the Jandakot and Gnangara mounds for housing; it has appointed Tim Meagher to advise on forests - someone who had come up against the EPA for offending against the Environmental Protection Act by pushing through a road without approval; and it has appointed Brian O'Brien to advise on greenhouse and pollution issues, when it is well known that Brian O'Brien is the last scientist in the world who does not believe that the greenhouse effect exists, and is one of the few scientists who is a consultant for a coal company. This Government has also neglected rural salinity problems; allowed miners into D'Entrecasteaux National Park and every other national park, judging by answers to questions I have asked in this place; stacked government committees with its mates; starved the Environmental Protection Authority of funds; funded the Northbridge tunnel without undertaking any real environmental assessments of the project; established another coal fired power station in Collie; and reduced public input into environmental assessments.

Hon John Halden: I cannot understand your problem; it is clear it is very consistent!

Hon J.A. SCOTT: This Government has clearly given up on the environment. It has decided on development at any cost. A question which the Government must answer when it seeks re-election in the near future is whether its commitments can be believed. So far it has kept very few promises on the environmental area. It has also been very misleading. I asked about one of its commitments in this House tonight. My question was -

- (1) Did the Premier promise in January 1993 to "create a solar power station capable of meeting the electricity demands of a population of 1 000 residents"?

The Minister answered, "Yes."

Hon John Halden: You got part of it right.

Hon J.A. SCOTT: I also asked -

- (2) When was this station established and where?
- (3) If it has not been established, will the Premier provide an explanation of why this commitment has not been honoured?

The Minister's response was -

- (2),(3) A Co-operative Research Centre for Renewable Energy commenced at Murdoch University in July 1996. The centre is using a Renewable Energy Advisory Council grant to review energy use in the remote Aboriginal community of Warrimanu, Balgo Hills.

That answer is misleading and incorrect. It goes on to say -

This will lay the groundwork for short term and longer term initiatives in the area of energy efficiency and the integration of renewable energy technology into remote power supply systems.

The reality is that the money invested in that was all commonwealth money; not a cent came from the State. The grant given to review the energy use in the remote Aboriginal community was not specifically for solar research and it was given three years ago. It had nothing to do with a research centre for renewable energy. A totally misleading answer was provided to give the impression that something had been done. It is simply not true.

Let us examine some of the Government's achievements. The Northbridge tunnel, as I mentioned, was pushed ahead with. It was revealed, not by Ministers or anyone else, but by people who used the freedom of information process, that no environmental assessment was undertaken. The only assessment was to determine what would be the political impact on the Government.

After criticising the Labor Government's record at Port Kennedy, the Government perpetuated the fiasco that was created. It harassed and chased off a land care group which worked for nothing and which had won state, national and international awards for its work. That group was replaced by a part-time person who costs \$50 000 a year, but who spends much of his time looking after burning programs in pine plantations.

Big promises were made by the coalition about salinity. At page 6 of the coalition document titled "ENVIRONMENT - Western Australian Coalition Policies for the 1990s" - the title is a bit of a joke - policy on salinity reads -

The Coalition in Government will make a major financial contribution towards a massive long-term program to control and then reduce salinity in Western Australia. Because it is part of a wider national problem we will, having committed State funds up-front, press the Federal Government to join in this historic fight.

A study was carried out, but that was all. We want to see real action with money being spent. We know we have a salinity problem and we know many of the ways to counteract it. However, it needs proper funding, particularly at the grassroots level for people involved in land care, not for more and more studies.

Hon Murray Montgomery: Is it not true that the Minister announced a fortnight or three weeks ago that a fair sum of money is to be spent on salinity and soil conservation?

Hon J.A. SCOTT: How much?

Hon Murray Montgomery: About \$750 000 for a kick off.

Hon J.A. SCOTT: As the problem of salinity costs an estimated \$100m a year and will cost \$20m for the next 50 years, the Premier needs to cough up much more than that.

Hon Murray Montgomery: We must start somewhere. We cannot just find money and throw it at a problem.

Hon J.A. SCOTT: The problem with the coalition's approach is that it worries about the amount of money it must spend to fix something, rather than about how much it will cost if money is not spent. If the cost to the State of a problem is \$100m a year, the Government should invest sufficient funds to counteract that huge impost. The amount of money being spent to counteract salinity does not even approach an adequate sum.

Hon Murray Montgomery: You do not acknowledge that it has started.

Hon J.A. SCOTT: I acknowledge that the Minister has thrown a timely pre-election snippet to pretend that the Government is really interested in doing something. Many problems have arisen with the Government's environmental policies. A huge change of policy has occurred at the federal level with the Government saying it will do away with the three mines policy. The State Government has leapt in by saying it will open up uranium mining in Western Australia about which, in keeping with his name, Hon Ross Lightfoot immediately lights up.

Hon P.R. Lightfoot interjected.

Hon J.A. SCOTT: The very people to whom the Government will sell the uranium live not too far north of Australia. It is one of the few countries actually seeking to build nuclear reactors.

Hon P.R. Lightfoot: Who is that?

Hon J.A. SCOTT: Indonesia is one of the few countries still considering placing real orders for nuclear power plants.

Hon P.R. Lightfoot: So is Japan, China, India and Pakistan.

Hon J.A. SCOTT: According to the United States information service, very few firm orders are being placed for new power plants.

Hon P.R. Lightfoot: The Philippines is another, plus all the countries I just mentioned.

Hon J.A. SCOTT: Nuclear power is the lowest growth area in electricity production in the world.

Hon P.R. Lightfoot: What is the highest?

Hon J.A. SCOTT: The highest growth area is renewable energy. It is more than double -

Hon P.R. Lightfoot: It is not the highest.

Hon I.D. MacLean: Of course, from a zero base, renewable energy will show the highest percentage growth.

Hon J.A. SCOTT: Those members who do not believe me should write to the United States information service and ask for copies of these documents. The crazy thing is that the country to our north, which has huge problems with technological expertise, is planning to build nuclear power reactors on some of the worst fault lines and most active volcanic and earthquake prone regions in the world. If that does not spell trouble for Australia, I do not know what does. People who want to commit suicide in that way should take a close look at themselves and start thinking about reality rather than profit.

Hon P.R. Lightfoot: What do you think we should do to stop it?

Hon J.A. SCOTT: We should talk to the people in that country about the alternatives. I know the United States has certainly been doing that and is trying hard to turn that country around. I have attended functions at the United States Embassy at which there were worldwide link-ups with energy Ministers around the world, including Hon Colin Barnett. The United States was certainly trying to convince that country not to go nuclear, which is a much more sensible approach than that adopted by Australia.

I now refer to the reports completed in recent times but which have been kept hidden by the Minister for state secrets, as Hon Peter Foss is known by those in the environment movement. He is sitting on a number of reports, including those on the Perth haze study, the south metropolitan coastal waters study, the wetlands of the south west agricultural zone study, and the environment protection policies for the Gnaragara mound, the Jandakot mound, the Swan and Canning Rivers and the western swamp tortoise. Where is the 1995-96 annual report for the Environmental Protection Authority? All these reports, and a number of others, are being suppressed.

Hon P.R. Lightfoot: Have you asked for them?

Hon J.A. SCOTT: I certainly have asked the Minister a number of times.

Hon P.R. Lightfoot: Have you put the request in writing?

Hon J.A. SCOTT: I have ask the Minister for the Environment questions in this place, and that is adequate and up-front. These reports do not reflect well on the Government. The Perth haze study report reveals that the CALM burning program is causing problems to the residents of Western Australia, including those in the city of Perth.

Hon P.R. Lightfoot: You are not the only one to say that; we say that too.

Hon J.A. SCOTT: Large sections of the report on the south metropolitan coastal waters study were quoted in the annual reports of the Department of Environmental Protection and the EPA a year ago, yet the Minister does not want to release them because they contain bad news about the Government's record for conserving the quality of water in Cockburn Sound.

Hon P.R. Lightfoot: Has it all happened in the past three and a half years?

Hon J.A. SCOTT: No, but a number of projects are waiting to go ahead in that area, and they might be held up if these studies were released. I refer, for example, to the Cockburn seagrass mining which is affected by the level of nutrients in the water. It is rumoured that the EPA annual report, which should have been tabled in this place last month, has not been released because, once again, it is very critical of not only the environmental conditions in this State but also the Government's program for doing something about them. The Government's plans are not realistic.

A number of concerns have been raised in this House. Following recommendations by a standing committee of this House, I moved for the establishment of a select committee on biodiversity. I am not sure which committee made the recommendation.

Hon W.N. Stretch: It came up in the Legislation Committee, and was also mentioned in the dieback committee.

Hon J.A. SCOTT: That is right. The committee recommended that when the report on national biodiversity was released, a select committee should be set up by this Parliament to inquire into biodiversity. The Government did not take any action, so I moved for the establishment of that committee in line with the recommendation and the promises made by the Minister with responsibility for carriage of the Department of Conservation and Land Management Bill in this place. Everybody who has had anything to do with that Bill recognises its problems, possibly even legal problems that may leave it open to challenge before the courts.

Hon W.N. Stretch: The committee flagged that there could be problems with the Bill.

Hon J.A. SCOTT: Yes, but nothing has been done. Because it is an environmental matter, the Government does not appear to be worried about it. If it were anything else, the Government would act immediately. Instead it is pushed aside because it does not matter to the Government. That Bill gave control of the flora in this State to a single person, and gave that person incredible power. It is a huge and important Bill, yet the Government was not sensible enough to acknowledge its importance.

Hon W.N. Stretch: We have not yet seen the problems arise that would need a select committee to be established.

Hon J.A. SCOTT: Why did all these agreements with the Amrad Group of Companies fall through? Many problems have been pointed out to me since that time.

Hon W.N. Stretch: There could be problems with Amrad.

Hon J.A. SCOTT: There are problems with Aboriginal communities in the north of the State being asked to obtain permission to use plants. That is contrary to the federal native title legislation.

Hon W.N. Stretch: I do not think they can be regarded as major problems.

Hon J.A. SCOTT: Hon Bill Stretch may not consider them to be major problems.

Hon W.N. Stretch: I do not think the taxpayers want select committees set up at random on all these minor issues.

Hon J.A. SCOTT: In my view it is not a minor issue. It would be a very important matter if control were lost of the biodiversity of this State as a result of lax legislation. It is probably worth more in economic terms than all the oil on the North West Shelf and the uranium in this State. The Government is not able to see that. The Government has also dismissed the cost of environmental damage to the community. A good example is referred to in an article in *The West Australian* in October, as follows -

Environment Minister Peter Foss advised the University of WA 10 years ago that it should give back contaminated land in Mosman Park to the State Government to limit its liability to any public health risk.

Further on, the article states -

He told UWA it should not follow the Lands and Surveys Department suggestion to become the development manager because it widened the scope of liability.

Mr Foss said yesterday his view since 1986 had been consistent.

He said development of the site should be undertaken by government rather than a private developer because government could face the long-term liabilities.

Is that not wonderful? He wants the people with contaminated sites to give them to the Government so that the Government can pay for any liability that arises out of that contamination! The taxpayers will pay for it! Why does the person who polluted the site not pay for it? Why do we not have a polluter pays system in this State?

Hon E.J. Charlton: I did not think you believed in user pays.

Hon J.A. SCOTT: I said "polluter pays".

Hon E.J. Charlton: Not user pays.

Hon J.A. SCOTT: I believe in user pays as long as it is applied fairly.

Then we have the continuing saga as I mentioned earlier tonight of the Kwinana A and C power stations being run on coal. There are no scrubbers on the chimney. What sort of Government condones that? That may go back to the last Government also, although it put in the gas turbines, I think. What sort of Government would deliberately use a substance which makes people sick and even die because it does not want to invest in a couple of scrubbers on the chimney or more importantly it will not press a switch that will turn the power source over from crushed coal being blown into the furnace to gas, which it can do? That is crazy when one considers that by doing that we would get 260 megawatt extra capacity out of those two power stations. The Government would not have had to build Collie. Then, of course, it would not have been able to help its mates in the coal industry. That would have been a problem.

Hon E.J. Charlton: Have you got any mates in the coal industry like the workers at the Collie power station? Do you support them? What would you do with them?

Hon J.A. SCOTT: The reality is that the Minister has not done much to conserve the jobs of the people at the power station. The number of people working at the power station has been greatly reduced compared with the number working there a few years ago.

Hon E.J. Charlton: What do you want?

Hon J.A. SCOTT: We should be looking at other uses for that coal and setting up liquefaction programs to use it for liquid fuel at some later stage. Our energy policies in this State are crazy. Even the small things that the Government is allowing are crazy. It is allowing AlintaGas to charge people more for using less! We are supposed to be about conservation of resources and energy. However, the Government is encouraging people to waste them! It is telling people who are not using enough gas that they should use more to get it at a lower rate. That is really good greenhouse policy, I must say!

Hon Murray Montgomery: Gas is clean, is it?

Hon J.A. SCOTT: It is much cleaner than coal.

Hon Murray Montgomery: And it does not cause acid rain?

Hon J.A. SCOTT: It has its problems; but it is nowhere near as bad as coal. It is much better to more than halve pollution than to allow it to go on at the same level. It is like saying that because someone will get killed if he runs into a fence at 80 kilometres an hour, it will not make any difference if he runs into it at 15 kilometres an hour. More than halving the amount of pollution will improve the environment considerably. What is more, it will conserve energy in this case because the power stations will upgrade the amount of megawatts that they produce.

Hon W.N. Stretch: Are you saying we should close Collie down to a base load power station?

Hon J.A. SCOTT: I am saying that the Government has wasted a huge amount of money on an exercise designed to buy votes in Collie and to prop up the coal industry in Collie because of the very poor energy policies that were agreed to by previous Liberal Governments. The take and pay contracts agreed to in the past have put us in the invidious position of being the most expensive energy State in Australia.

Hon E.J. Charlton: That was about gas, not about coal.

Hon J.A. SCOTT: It was about coal also.

Hon W.N. Stretch interjected.

Hon J.A. SCOTT: That is right. Two different Governments were involved. However, they were both political decisions and both very poor decision. The decisions were not made to provide the State with cheap energy. Unfortunately, our current policies have sprung from that very poor base instead of our going back to point zero and designing proper energy policies.

Hon W.N. Stretch: We care about a town of 10 000 people, if you don't mind.

Hon J.A. SCOTT: I care about a town of 10 000 people. However, we should be using our intelligence and technology processes and getting away from the out of date technology that the Government is proposing in Collie. The interesting statement that came out of the debates about the Collie power station was that made by Hon Colin Barnett who said that the pollution from the Collie power station would be an improvement on existing stations. I asked him what were these wonderful technical devices that would make it less polluting. The answer was that the chimney would be taller to disperse the pollution over a wider area! Liberal Party hi-tech is another half a dozen rows of bricks!

Hon W.N. Stretch: You really are absurd. No wonder you have lost your credibility.

Hon J.A. SCOTT: That answer got Colin Barnett into "Inside Cover" of the newspaper on that day because it was so ridiculous.

Hon W.N. Stretch: I won't comment.

Hon J.A. Scott: No, the member should not if he really believes that extending a chimney would really make a huge difference.

Hon W.N. Stretch: That was one of several factors. You are being selective.

Hon J.A. SCOTT: That was the answer I was given in this place. Coal burning at that power station is not new technology and the member knows it is not.

Hon W.N. Stretch: There is a lot of new technology in there.

Hon J.A. SCOTT: It is a pretty old-fashioned system.

I now want to move on to the Cockburn Cement Ltd saga. By the time this Government had finished with its changes to the Environmental Protection Authority, Cockburn Cement was given approval to go ahead with the mining of limesands on the seagrass beds of Cockburn Sound. That was embarrassing. Most of the seagrass beds were wiped out in a short period by very inappropriate dumping of gypsum and other nutrients into Cockburn Sound by Wesfarmers CSBP Ltd. It was the biggest villain in the piece. With less than 10 per cent of the existing seagrass left, the Government approved this further mining by Cockburn Cement of the seagrass bed. The Environmental Protection Authority gave approval on an economic rather than an environmental basis. The EPA was challenged in court and it lost. What happened? Did the Government say, "Let us look after the environmental integrity of Cockburn Sound. If there is any question of our destroying the remainder of the seagrass in the sound, we must stop and have further checks done by the EPA"? There was no stopping at all. The destruction has gone on. The Government has indulged in misleading information and pseudo science by saying that maybe we will be able to grow seagrass. It was talking of a big program with the CSIRO, so that we might be the first place in the world to grow

seagrass without sunlight because of the amount of nutrient and discolouration of the water! The funding was not appropriate and CSIRO pulled out because it realised real science was not being applied.

We also have the Minister for Transport pushing ahead with Mangles Bay marina where there is another area of seagrass. He wants to push on with it regardless of the environmental consequences to the ocean in that area. I have received answers in this place that say that no private projects have been mooted for that area, but I have found out there have been and the Government knew about a marina project which would have been far more ecologically sound than that proposed by the Government. It is a shame that the Government does not consider the inland marina proposed by a group from Rockingham. The South Metropolitan Coastal Water Study was held up. We had the Government investigating the possibility of providing funding to move the wool scourers to IP14 at Rockingham. An environmental document, as I will call it, was described by scientist friends of mine as containing voodoo ecology.

Hon John Halden: It must have been written by the Minister for Transport.

Hon J.A. SCOTT: Yes. It is voodoo because it says that the nitrogen contained in the outflows from the wool scourers is non-available and therefore it will not be a problem because of plants taking it up. It failed to say that within 10 hours to four days it would be available. That is one of the reasons the Minister does not want the South Metropolitan Water Study to be released now. It shows that the Point Peron outfall, into which the waste was to flow, is overloaded and that pollution is travelling up to 4 or 5 kilometres away from the outfall, when it was claimed the pollution should be travelling only 600 metres, and the water in that area is unsafe for swimming. The Government wants to put more waste into that outfall. It is time the Government woke up and looked at the value of urbanising the land in the area. If the Government were to tertiary treat that material, most of which is sewage, which is going out through the Point Peron outfall, it could get rid of that blight on the landscape right at the waterfront. Far from the building of a tertiary treatment plant being a cost to the Government, it would be a huge economic boon because the value of the land opened up for urbanisation would far outweigh anything it cost to build a treatment plant.

We then come to the most voodoo ecology of all, which is the Department of Conservation and Land Management burning programs. The chief executive officer of CALM constantly says that no animals at all are hurt by any of CALM's burns. He says that a spring burn that covers 7 000 hectares, which is a canopy burn at very high speed, does not hurt the nesting birds. They are all fire resistant in asbestos jackets!

Hon W.N. Stretch: How often do you see a spring burn at tree top height?

Hon J.A. SCOTT: I do not see it often but country people do, and they phone me about it.

Hon W.N. Stretch: I live in the country and I have never seen a spring burn at treetop height.

Hon J.A. SCOTT: The member probably has so much smoke around him he would not notice.

Hon E.J. Charlton: We will have even more if you carry on talking like that.

Hon W.N. Stretch: We have a bit of fuzz coming from his way, but no smoke.

The DEPUTY PRESIDENT: Order!

Hon J.A. SCOTT: Burning at that level has a vast ecological effect.

Hon E.J. Charlton: Tell us what you would do.

Hon J.A. SCOTT: If the Minister read his old web of life standard text he would know that if every couple of years we are burning nutrients that fall to the forest floor, we are denying the whole forest ecology the nutrients it requires to produce the type of growth it was producing previously. It has to change if we are killing micro organisms on the floor of the forest.

Hon E.J. Charlton: What do you say about the fires in the north west?

Hon J.A. SCOTT: I do not have sufficient time to talk about that. I want to talk about this.

Hon E.J. Charlton: You only talk about the fires that may have some political effect rather than the deliberately lit ones.

The DEPUTY PRESIDENT: Order!

Hon J.A. SCOTT: If the Government put a bit more money in the north west so that we have a few more environmental officers, there might be more control. The one or two operatives in the north of the State are hardly likely to keep control of anything.

Hon W.N. Stretch: This is a very poor valedictory speech.

Hon A.J.G. MacTiernan: How do you know it is a valedictory speech?

The DEPUTY PRESIDENT: Order!

Hon J.A. SCOTT: I am explaining the amount of time it takes for plants to regenerate after a burn. Some plants regenerate quickly and others take up to 25 years. If we burn every two years we will completely change the face of the bush that was growing there before. The plants that take a long time to regenerate will disappear and be replaced by varieties able to regenerate quickly. That is obvious. The CEO's version of how dieback is caused in the jarrah and other forests has been contradicted at times. The jarrah forests are pretty well off compared with some of the flora in the south west heathlands. Although we do not notice them disappearing, many species are disappearing rapidly in the heathlands, because the burning regimes used in the forests are totally inadequate for those areas. The current regime of controlled burning will wipe out quite a few species. CALM sets fire to the damp lands, where frog species survive during the summer, and they smoulder and burn for long periods.

Hon P.R. Lightfoot: The frogs smoulder and burn for a long time?

Hon J.A. SCOTT: They do; along with the peat. They die even though Dr Shea says they do not. Dr Shea is a great optimist, but he is not entirely scientifically objective in these matters.

Hon W.N. Stretch: He knows a bit more about dieback than you do.

Hon J.A. SCOTT: He thinks he knows more than practically everybody. Dr Shea even went to court on this matter, when other scientists came up with a different point of view from his and said that his practices were a major cause of dieback because they created the right conditions to encourage the spread of dieback; that is, clearing large open areas, raising the water table and increasing temperatures in the forest as there was no canopy. He did not like what was put forward by Dr Elaine Davison, another CALM scientist, so he shunted her out to the bush where she could not do any harm. Dr Shea had a screaming argument with her, and that caused a lot of embarrassment in the scientific community at the time. People disagree strongly with Dr Shea that dieback was imported to Australia. They believe that dieback has always been present in the forests, and it is only because of the poor health of our forests owing to the loss of nutrients caused by the current management practices that the forest becomes more susceptible to dieback.

Hon W.N. Stretch: You are partly correct in that there were always native dieback species; however, there is strong vectoring evidence that the disease has been imported from Indonesia. He also acknowledges that native dieback species did not do the damage, because they were part of the natural environment.

Hon E.J. Charlton: There are a lot of other things imported into this State as well.

Hon J.A. SCOTT: Of all the voodoo ecology, the CALM burning program takes the cake. Anybody who thinks about this will understand that burning very much changes the landscape. I have heard the argument that if it is not burnt we will have big wildfires, and I accept that in some cases that will happen. I am not saying there should be no burning, but presently it is far too regular and it is not adapted to the different types of vegetation in this State. It is adapted to the tall forest areas of karri and jarrah. The burning program should be revised urgently.

The other idea that somehow controlled burns will protect everything is a fallacy. With the often quoted bushfires of New South Wales, fire burnt through areas that had been burnt two weeks before. Royal National Park is famous, because it had been burnt two weeks before the Sydney bushfires. The fire burnt straight through the park, and when the wind reversed it went back again. There were fewer fires in wilderness areas that had not been burnt. That was not the only factor; it was also because those wilderness areas were damp areas to begin with. Most of those fires started not in parklands, but on private property and in logging, or managed, areas.

Hon P.R. Lightfoot: Are you suggesting that if we do not have burns there will not be any fires?

Hon J.A. SCOTT: No, I am not saying that. I am saying that the so-called effectiveness of controlled burning is not as great as some people pretend. We should cut back on burning except in areas close to populations. We should burn less frequently, and not where there is wilderness. There is no need for controlled burning where there is no risk to anybody.

I will switch from the appalling environmental record of the Government and will pose a question for the Leader of the House: When will the Government respond to the *Griffin Venture* issue that I raised in this place? Many questions are unanswered about the Department of Minerals and Energy's role in a pseudo investigation which it said was conducted; it said this to a Senate inquiry, but then changed its mind and said it was not a real investigation at all. The Minister tabled a document which was full of holes, patently wrong statements and some very weak excuses, such as one where the department claimed that the person who had done the interviews was no longer with the department and he might have the notes on his laptop, but it did not have them and could not get them.

I will read through a wish list for this place: Firstly, that Ministers did not have the benefit of not answering a question. They should be required not only to answer questions but to answer them coherently. Secondly, that this place did not sit silly hours and it was better organised. Thirdly, that it was a real House of Review and members were brave enough to back their own judgment rather than follow party lines. Fourthly, that better research facilities were provided through the Parliamentary Library, because the facilities available are appalling compared with those in other Australian Parliaments. Fifthly, that more time was allocated to urgency motions, because the current system is no good.

The Premier made a big announcement of the creation of a regional park on a pine plantation to the north of this State. The interesting point about this is that CALM, under an arrangement which is supposed to be legislated, manages regional parks for \$2m. However, CALM wanted a boost of \$5m to manage a pine plantation, compared with \$2m to manage the 10 other regional parks. I suspect that is a good way for CALM to divert money from regional parks to pine plantations. I do not think the community will fall for it. However, I am afraid the Premier seems to have been conned cleverly by CALM's chief executive officer, Dr Syd Shea. I hope the Premier will wake up pretty quickly.

Debate adjourned until a later stage of the sitting, on motion by Hon E.J. Charlton (Minister for Transport).

[Continued below.]

MOTION - DISALLOWANCE OF OCCUPATIONAL SAFETY AND HEALTH REGULATIONS

Order of the day read for the resumption of debate from an earlier stage of the sitting.

Debate adjourned, on motion by Hon Muriel Patterson.

[Resolved, that the House continue to sit beyond 11.00 pm.]

APPROPRIATION (CONSOLIDATED FUND) BILL (No 3)

Second Reading

Resumed from an earlier stage of the sitting.

HON JOHN HALDEN (South Metropolitan) [10.40 pm]: This will not be a valedictory speech on my part -

Hon I.D. MacLean: Pity.

Hon JOHN HALDEN: - although that may disappoint some members.

Hon Tom Helm: Not me, comrade.

Hon JOHN HALDEN: I take the opportunity of this debate to deal with matters of financial interest to the State. Recently, calls were made by the Premier, among the odd sarcastic comment, for the Australian Labor Party to cost its promises as we move towards a state election. Therefore, it is appropriate that we consider some of the Government's current uncostered promises which give a distorted impression to the Western Australian community.

In a media statement of 17 October, Hon Eric Charlton unveiled a 10 year plan for public transport development in Perth. It is a particularly impressive plan. One would be hard pressed to disagree with parenthood.

Hon Tom Helm: Long may it continue.

Hon JOHN HALDEN: The Minister is long on promises, nice statements and on cost, but we found not a scintilla of explanation of how the promises would be paid for.

Hon J.A. Scott: They cannot be called promises as we know that the Government will probably not keep them.

Hon JOHN HALDEN: Let us consider the temerity of members opposite. We have the claim about the Labor Party's grab bag of uncostered promises, but what about the Government's little grab bag of uncostered promises? The media statement reads -

Mr Charlton said some of the key improvements in the Better Public Transport Plan were:

a totally new concept in bus services. Code-named System 21, it would involve major innovations to give buses priority and ensure frequent, fast and comfortable services. Its impact on public transport would be comparable with that achieved by the electrification and extension of the suburban railways;

introduction of the Circle Route - a bus route from Fremantle connecting to the interchanges at Stirling, Morley, Midland, Bassendean and Carlisle, then on to Canning Vale and back to Fremantle. The Circle

Route will service five university campuses, several hospitals, key suburban shopping centres and Perth domestic airports;

replacement existing passenger buses - average age currently 12 years - with state-of-the-art buses able to meet international best-practice emission standards. Work on the selection of the buses is already under way;

major expansion of the passenger rail system, providing for a railway from Perth via Kenwick to Jandakot and ultimately on to Kwinana, Rockingham and Mandurah;

extension of the northern suburbs railway from Currambine to Two Rocks;

That will be costly, Minister. Continuing -

extension of the Midland line to Bellevue and possibly on to Ellenbrook.

That will also be expensive, Minister! The media release continues -

extension of the Kwinana Freeway bus lane from just north of Mt Henry Bridge to the Murdoch Park-and-Ride Station at South Street;

a dedicated rapid transit route from Rockingham to Fremantle, initially using buses but capable of adaptation to other forms of transport such as light rail; and -

We will then have two railway lines to Rockingham!

Hon E.J. Charlton: Not this year.

Hon JOHN HALDEN: No, but that will occur under the 10 year plan. It continues -

elimination of the Lord Street level crossing in East Perth by constructing a road bridge and partial sinking of the railway. This will remove a major road and rail bottleneck.

Hon E.J. Charlton: That is in.

Hon JOHN HALDEN: All those notions are very credible, but the Minister does not stop there. The Minister outlines other benefits including more direct routing, with fewer stops in peak hours; bus priority measures; improved connection with rail services; the provision of advanced easy-access buses comparable in quality with those now in use on the free Central Area Transit system; quality passenger shelters, and vastly improved information systems; local customer services to bring the system closer to the people it serves; and to improve Friday night and weekend services. Again, Minister, how could anyone object to any of those notions? They are particularly reasonable. However, from where will the Minister find the \$4b to fund this package? Who is making the grab bag of promises?

Hon E.J. Charlton: I think you're being a little extravagant, Mr Halden.

Hon JOHN HALDEN: It is a little extravagant, Minister!

Hon E.J. Charlton: With your figures.

Hon Kim Chance: At least he owns up to the extravagance!

Hon E.J. Charlton: The member quoted the figure of \$4b.

Hon JOHN HALDEN: The Premier said that the Opposition was putting out a grab bag of uncostered promises, but the effort of the Minister for Transport indicates that somebody's nose is growing - I have a feeling it is the Premier's. Credibility in a budgeting debate is gained through costings. We must know what costs will be faced during the term of the next Government. In all honesty, as Hon Jim Scott said - I will emphasis the point at length - we are becoming tired of the broken promises of this Government.

Some 12 months ago - the figures do not include the Environment portfolio - in the order of \$250m-plus in major commitments were not funded by this Government. I must congratulate the Minister for Finance: As the shadow Minister he undertook policy costings for the Liberal Party. It was an interesting exercise, which I recently reviewed. The Liberal Party made promise after promise, some, by no means all, of which the then shadow Minister costed, and the promises he costed were by no means accurate. The document produced was financial voodooism as a distortion of the cost involved with the promises of members opposite. It was a sham.

I do not suggest that the public transport policy of the Minister for Transport is a sham - it contains some particularly worthwhile perspectives, although I do not agree with all its priorities. That is fair enough; we can disagree. However, it is incumbent on the Minister to cost the policy.

Hon E.J. Charlton: No problem at all.

Hon JOHN HALDEN: The Minister will be asked my question on the subject tomorrow as it is on notice.

Hon E.J. Charlton: That is great; I am looking forward to it.

Hon JOHN HALDEN: It will be interesting to hear the Minister's reply.

I now move to the next exercise in this Government's electioneering promises; namely, a ministerial statement delivered by Hon Colin Barnett, the Minister for Education, on 31 October 1996 on early childhood education. I will not read the entire statement, but I will refer to the pea and thimble trick involved. The basic features of the program are that from the year 2002 preprimary programs in government schools will increase from four days to five days a week. Also, from 2001 the Government will expand the government kindergarten program from two half-day sessions to four half-day sessions, and programs transferred to the Education Department will continue to be run in family centres where appropriate. Another feature is that in 2001 the cut-off date for entry into the education system will change from 31 December to 30 June. In 2001 the Government will use this opportunity to reduce class sizes in years 1 and 2 when smaller classes have greater educational benefit. Prior to 2003 the Government will adopt a more flexible approach to class sizes.

Again, I do not have any problem with those ideals. In fact, the Labor Party education policy I wrote included all those points. I was roundly criticised by the Leader of the House, the then Minister for Education, for the temerity of stating that reducing class sizes in the early years of education has benefits.

Hon B.M. Scott: You copied the Scott report.

Hon JOHN HALDEN: No, I am afraid I did not. I was well ahead of the Scott report. I am quite delighted that the Government wants to do this. It is interesting that it is not costed.

Hon B.M. Scott: It is costed.

Hon JOHN HALDEN: The program is to run from now until the year 2001. Most of the significant advances to which I have already referred, which will happen during the next term of government, are not costed. How will the Government afford that in the next term of office? Is any additional money supplied to education? I do not think it is. We all know how the Government will fund this program: A cohort of children, who will not go to school for half a year, will go through the system for only 12 years. By changing the entry dates, the Government will save 5 per cent on the next 12 Education budgets. That is how the Government will fund this new initiative; no additional resources will be provided for education. It is nothing more than a pea and thimble trick.

We can have the arguments about whether children should start year 1 earlier or later. I have a view about that, on which I think Hon Barbara Scott and I will disagree. So be it. To suggest that the Government will commit any further resources after the year 2001 is fantasy - and those opposite know it is. It is a distortion of facts. Class sizes will be smaller in years 1 and 2 because so many teachers will not be teaching children in those years.

Hon B.M. Scott: You would rather see them dismissed?

Hon JOHN HALDEN: No, I would rather the Government got the system right. I think those opposite are jumping at shadows. I accept the commitment of Hon Barbara Scott to this initiative and I do not want to denigrate her; however, one of the large motivating factors in changing the entry age was to save the Government money.

Hon E.J. Charlton: No.

Hon JOHN HALDEN: It was, quite clearly. There is a greater than 5 per cent saving in that area.

Hon E.J. Charlton: Why did we spend more than 12 months since the first announcement, consulting with the community to bring this in?

Hon JOHN HALDEN: I am not able to say what is the position of the community. The Government may have consulted with the community, or whatever, but I know there is considerable concern about this matter. I am not convinced of the educational benefit in this initiative. However, I concede that I am pleased, as I think most members would be, with the increases to the K and P areas - to use the abbreviations - of early education. They are warranted, but they do come at a saving, not at a cost.

Hon B.M. Scott: No, they do not.

Hon JOHN HALDEN: They come at a saving. The Government would like to have had the saving. Unfortunately it has now had to put the money up front in the next term of government. What the Minister for Education announced on 31 October, which will take effect during the next term of government, are savings, not costs. Those opposite

should never think otherwise. They know it is not a cost. We have all seen the figures. I am sure I tabled the beneficial savings figures in this place when I got them from the Education Department some time ago.

Hon B.M. Scott: At least we guarantee trained teachers.

Hon JOHN HALDEN: I am still not convinced, and I have always held this position, that that is necessarily an advantage. If we are talking about the program for five year olds, I agree with Hon Barbara Scott; but I do not agree about the program for four year olds.

Hon B.M. Scott: Only because it was cheaper, and we rationalised all of that.

Hon JOHN HALDEN: It is not cheaper at all. The quality of four year olds' education delivered by people with the triple C qualification is appropriate, has always been appropriate, and is not substandard.

Hon B.M. Scott: We consider it critical and important and it must be given by trained teachers.

Hon JOHN HALDEN: That may be so, but I disagree. At the same time I would like to see Hon Barbara Scott prove to me in a qualitative way that that is the case - and I do not think she can.

I will now refer to other comments made by the Government, particularly when it said that the Opposition must be accountable; it must cost its proposals. I looked at some recent press releases to see how competent those opposite are in providing that information. The Minister for Education said that educational support upgrades would be worth \$750 000 this year, and that the money had been earmarked for educational support facilities which would be completed by mid-1997. I looked up the capital works budget - I am sure it was scrutinised extensively by the Treasurer and the Minister for Finance - and found only \$200 000 was committed to this program. I thought somebody had got it wrong, but I will not guess who.

On 5 July the Minister for Education said that 20 schools would benefit from a \$1.2m program for ground water developments and reticulation. The capital works budget indicates that \$400 000 will be spent on that program. Again I am left to wonder which figure is correct.

Hon Max Evans: You are looking at \$400 000 for next two years.

Hon JOHN HALDEN: No; the Minister said it would be spent by mid-1997. In a statement on 7 May 1996 the Minister for Education said that \$4m had been allocated in the 1996-97 Budget to provide underground power. Once again I looked at the capital works budget to see how much was dedicated for this project. In this case the budget papers show the figure as \$8.573m. Yet again I ask, who is right and who is wrong?

Hon E.J. Charlton: So far we are about \$3m in front. There you go.

Hon JOHN HALDEN: Those opposite are supposed to be great economic managers, yet they cannot even quote the numbers shown in the Budget accurately. It depresses me, especially when they have the temerity to demand figures for our proposals, but they cannot even quote the figures in their budget documents accurately.

The Minister for Finance interjected and suggested that the expenditure for the ground water and reticulation program in schools was carried over two budgets. However, I can assure him that in his announcement the Minister for Education said that he would spend \$750 000 on that program and the budget showed a figure of \$200 000. In a press release on 28 July, this Minister also said that this would be done by mid-1997. Of course, that is after the next Budget is brought down.

The Minister for Transport has again promised to upgrade the *Prospector* and *Australind* trains. That is an annual event, for which we all wait with bated breath.

Hon E.J. Charlton: It is happening now.

Hon JOHN HALDEN: It has been in so many Budgets I am delighted that it is happening!

Hon E.J. Charlton: You are wrong in saying that.

Hon JOHN HALDEN: I remember the Minister promised the upgrade of the *Prospector* at the time of a certain by-election, not long ago.

Hon E.J. Charlton: That is when the Labor Party said that the service would be closed, that there would be no *Prospector*. You said that.

Hon JOHN HALDEN: No, I did not.

Hon E.J. Charlton: The candidate for Kalgoorlie did.

Hon JOHN HALDEN: I cannot recall that; the Minister may be correct.

Hon E.J. Charlton: You can't recall that?

Hon JOHN HALDEN: I honestly cannot.

Hon Kim Chance: She asked a question about whether it would be closed.

Hon E.J. Charlton: No, she told everybody it would be closed.

Hon JOHN HALDEN: Let me go on with this grab bag of promises. I note an issue of some interest to the Minister for Transport. On 5 July the Premier was in Bunbury promising \$35m for berth 8. Again, I do not necessarily have a problem with that promise, and I cannot comment whether it is appropriate because I do not have the figures. This was announced very soon after the Budget was brought down.

Hon E.J. Charlton: Every bit of port works is paid for by the users.

Hon JOHN HALDEN: Yes, but where is that in the Budget? The Treasurer, the man who is demanding financial accountability, went to Bunbury on 5 June and promised that \$35m would be spent. I have gone through the budget documents up hill and down dale. I know what wonderful, superior, accountable people government members are; they know how to run businesses. Where is the \$35m in the budget documents? It is not there.

Hon Max Evans: We used the BankWest float to knock off the debt.

Hon Kim Chance: You flogged off the cars. You flogged off everything.

Hon JOHN HALDEN: Another Minister of the Crown then wandered around the State - the Minister for Health, Hon Kevin Prince - and announced that Broome Hospital would be upgraded. I do not have a problem with that upgrade, having been to Broome recently; it is most appropriate. He said that funding of \$800 000 was available in the Budget to upgrade the facilities at that hospital. The only difficulty with that promise is that the figure of \$800 000 does not appear in the Budget, although the figure of \$15 000 does appear.

Hon Kim Chance: That is close enough!

Hon JOHN HALDEN: Yes; when they are making the promises, it is close enough.

I noted with some interest that at page 5 of the Consolidated Fund Forward Estimates 1996-97 to 1999-2000, the percentage real increase in recurrent expenditure for 1996-97 will be 0.1; and in 1997-98, 1998-99 and 1999-2000 it will be respectively -1.7, -1.3 and -0.4. If the real growth in expenditure will go down to that degree, bearing in mind it is predicted that revenue growth will not decline to anywhere near that degree, the question that must be asked is: How will the Government reduce it in that way? What will be the policy? As we are approaching an election, it is appropriate that the Government, which wants total financial accountability in these matters, tell us how in 1997-98 it will achieve a -1.7 reduction in recurrent expenditure. What programs will the Government cut, because it will cut programs? How many public servants will we lose, because that is another option that the Government can use?

I imagine that this particularly keen Treasurer, who is demanding accountability left, right and centre, will explain to Western Australia how in 1997-98 there will be in the vicinity of \$100m less in the state Budget, in the next year some \$75m less, and in the next year some \$10m to \$15m less, which adds up to about \$200m. In respect of straight out accountability, it is now incumbent upon the Treasurer to do that. The public of Western Australia deserves to know what programs will be cut and how many public servants will be lost. We already have about 8 000 fewer public servants than we had at the beginning of this Government's term of office. I wait with bated breath for the Treasurer to explain that. I do not know that it will necessarily happen, but one can only hope that the Treasurer, who is demanding such high standards of us, and he will receive those standards, delivers the same standards, particularly when he has the resources of government, by telling us how he will achieve those ends.

I want to meander a little, if I may, because I notice the Minister for Transport is here, by referring to a matter about which I asked a question some time ago. This relates to the accountability of this Government and the answers that we get in this place, a matter to which Hon Jim Scott referred in his speech. I asked the Minister for Transport about the exposure of the Western Australian Government to a legal case currently before the courts following action taken by BACC Pty Ltd and its proprietor, Mr Buckeridge. The Minister said that at that point the exposure of the State to the claim was nil. That was interesting.

I then went to the Supreme Court and got the writ of summons issued by BACC against the Western Australian Coastal Shipping Commission. I have had the odd problem with some of the Minister for Transport's answers in the past four years. What is the State's potential exposure? Is it nil? The writ states at page 8 in paragraph (b)(i) that

the particulars of the damages for loss of profit are an amount of not less than \$2m. Paragraph (ii) states that, alternatively, the loss and damage suffered in reliance on the award of the stevedoring contract are (a) general expenditure \$710 699.09; (b) loss in value of a forklift truck, purchase price \$340 000 minus residual value of \$200 000, leaving \$140 000; (c) and loss in value of recommissioned 30 tonne Kinhill Sterne container crane, now rendered worthless, \$3.5m, being a total of \$4.350.699.09.

Hon E.J. Charlton: Do you support that?

Hon JOHN HALDEN: I do not have to support it.

Hon E.J. Charlton: Do you think that is a valid claim?

Hon JOHN HALDEN: After the way the Government handled that issue, yes. I would sue the Government too if I were Mr Buckeridge.

Hon E.J. Charlton: There you go! I will ensure that I pass your supportive comments to him.

Hon JOHN HALDEN: I am pleased about that. Here we are: Accountability; present all the facts; get it all clear. What is the State's potential exposure - nil! If I could obtain this information, I am sure the myriad staff in the Minister's office could have obtained it.

Hon E.J. Charlton: I knew it, but -

Hon JOHN HALDEN: Yes, but the Minister did not want to tell me!

Hon E.J. Charlton: Of course!

Hon JOHN HALDEN: Not until I went to the Supreme Court and got it.

Hon E.J. Charlton: I thought you would have known before you asked what the claim was, but I take the view that until a decision is made that demonstrates that, there is no exposure.

Hon JOHN HALDEN: But there is a potential exposure.

Hon E.J. Charlton: There are lots of potential things -

Hon JOHN HALDEN: The greatest potential exposure in the Department of Transport at the moment is the Minister!

Hon E.J. Charlton: I might not get a crop this year, but then again I might.

Hon JOHN HALDEN: That highlights the nonsense that we keep hearing. I thought we should have a look at what this Government promised and did not deliver; and Hon Jim Scott and I are seemingly on the same track about this issue.

Hon E.J. Charlton: That is a worry!

Hon JOHN HALDEN: There are some classics with regard to what Ministers have said. A good example is the environment. This was at the time when the then Minister for the Environment, Hon Kevin Minson, was having enormous difficulties; I am not sure why. He said that he could see no reason to split the roles of Chairman of the Environmental Protection Authority and Chief Executive Officer of the Department of Environmental Protection. Having said that in 1993, he then sacked the Chairman of the Environmental Protection Authority and split the roles. One is left to wonder whether he knew what he was doing or whether he was deliberately telling us what was not correct. The list of promises made and then not kept is amazing; yet the Premier of the day is screaming from the rooftops that he will make everybody accountable. He is endeavouring to make only the Opposition accountable while the Government continues in the four year tradition it has established, saying whatever it likes, promising whatever it likes, and doing whatever it wants to do, with no reference to what it said before.

The other day in this place the Attorney General told us on behalf of the Minister for Health, I imagine with briefing notes from the Minister for Health's office, that the median waiting time in hospitals had decreased to 3.9 months. It was interesting that while I was on my feet, castigating the Minister for Health for that nonsense, I received the official Health Department figures that indicate the median waiting time is 4.8 months. The Attorney General gave one set of figures five minutes earlier, and he was totally incorrect. The Attorney General was quoting a different figure, a figure that was not being discussed by him or me, and was trying to use that figure to justify the Government's position. The Government will use any piece of nonsense that it thinks it can get away with. The reason government members are caught once in a while is that they become arrogant, as the Minister for Health did by providing his colleague in this place with spurious information. The Government wants accountability; it wants

us to be accountable. I can assure government members that we will be accountable to them. We will cost every item.

Hon E.J. Charlton: That would be a first, Mr Halden.

Hon JOHN HALDEN: The Government should never think that it has the high moral ground on this issue. Members opposite have rorted the system with the best political program.

Hon E.J. Charlton: How are the finances now compared with when you left office? If we are so bad, tell us how things have deteriorated since we have been in government.

Hon JOHN HALDEN: I am delighted that the Minister has raised that point. The finances have improved. The Government has been fortunate to have an economic boom.

Hon E.J. Charlton: Were we just plain lucky?

Hon JOHN HALDEN: Yes, and thank goodness the Minister was not the Treasurer, otherwise the State would have had more problems. I concede that the Government was fortunate. However, at the same time as being fortunate, the Government, particularly in its ideological commitment -

Hon J.A. Scott: It sold off the family jewels.

Hon JOHN HALDEN: It has sold off lots of property. We may agree or disagree with that.

Hon E.J. Charlton: We have reduced transport charges by about 20 per cent and saved \$70m. Are you going to tell us that that is not right?

Hon JOHN HALDEN: Hang on, Minister. The Minister now raises another issue. I do not want to get off the subject I was on, but I am happy to debate that with the Minister or anyone else from the other side of the House. At page 5413 of *Hansard* of 24 September 1992 the then shadow Minister for Transport, Richard Lewis, in response to an accusation in Parliament that a coalition Government would increase public transport fares, said, "We will not do that." However, my colleague sitting across the Chamber has increased transport costs. He did that first in June 1993 when he increased transport fares in zone 2 by 55 per cent, in zone 3 by 44 per cent, in zone 4 by 50 per cent, in zone 5 by 55 per cent, in zone 6 by 64 per cent, in zone 7 by 75 per cent, and in zone 8 by 85 per cent.

Hon E.J. Charlton: And overall, Mr Halden, by 10 per cent. You always get the figures wrong.

The DEPUTY PRESIDENT (Hon W.N. Stretch): Order, Minister!

Hon E.J. Charlton: It must be said to highlight to Mr Halden that he is bad at adding up.

The DEPUTY PRESIDENT: Order! If the Minister feels that he has been misrepresented, a course is open to him at the end of the debate.

Hon JOHN HALDEN: I am just reading the quote. If the Minister is upset with what his colleague Hon Richard Lewis said at that time, I suggest he take it up with him. When it was alleged that a coalition Government would increase public transport fares, Hon Richard Lewis' response was, "We will not do that." I thought that was fairly clear and categorical; yet by March 1993 this Government implemented the increases that I just outlined to the House.

Hon E.J. Charlton: We've increased them 30 per cent over three years.

Hon JOHN HALDEN: The Minister says that with pride - only 30 per cent, and there has been 10 per cent inflation over that period! My goodness, the Minister has done very well! Could I be an economic manager like the Minister? I bet the taxpayers of Western Australia are delighted with that.

Hon E.J. Charlton: What is 30 per cent of a dollar? It is 30¢, my friend.

Hon JOHN HALDEN: I do not know what that interchange was meant to mean. The Minister says anything he likes and promises whatever he likes, and then turns around and changes it. He asked for that.

Hon E.J. Charlton: I announced it three years ago; I should know. Did you just wake up that those fares went up?

Hon JOHN HALDEN: I point out to the Minister that in spite of his interjection, he broke that coalition commitment. He said that transport costs went down.

Hon E.J. Charlton: They did.

Hon JOHN HALDEN: They did not. The Minister just accepted the figures that I read into *Hansard*.

Hon E.J. Charlton: Even you can understand the difference between fares and the cost of operating transport. They are not the same.

Hon JOHN HALDEN: Perhaps I misunderstood the Minister's interjection.

Hon E.J. Charlton: You did.

Hon JOHN HALDEN: I took the opportunity to raise with the Minister another broken coalition promise. There are many of them.

Hon E.J. Charlton: I'll forgive you. I've become charitable towards you in the past few months.

The DEPUTY PRESIDENT: Order! I am pleased to hear that, Minister. The Minister will have a chance later to speak on this debate, if he wants to.

Hon E.J. Charlton: I am trying to help him, Mr Deputy President.

The DEPUTY PRESIDENT: I will give him the help he needs.

Hon JOHN HALDEN: I have another interesting quote relating to taxes and charges. The Minister for Transport might like to think about this also. In a policy speech in 1993 the then Leader of the Opposition, Richard Court, said there would be no increases in taxes and charges, and on page 2 of the 1994-95 budget speech that was delivered on 9 June 1994 the Premier and Treasurer said there would be no new taxes and no increase in existing taxes. Of course we have had the 4¢ a litre fuel increase; the \$50 levy applied to car licences; the removal of the 150 kilolitre free allowance for water; the 19¢ a kilolitre rate for the first 150 kilolitres of water used introduced in 1993-94; and the cost of the first 150 kilolitres of water used increase from 19¢ to 27.5¢ a kilolitre.

Hon E.J. Charlton: The actual income to the Water Corporation went down.

Hon JOHN HALDEN: In 1993 Homeswest increased rents across the board on the basis of marketplace rental value. That increase was not uniform. In Karratha rents went from \$110 a week to \$180 a week. That was not bad for a Government that said we would have no increases in taxes and charges. The one I love thinking about when I look at the state Budget, as I occasionally do now, is the commitment to abolish payroll tax within two terms. Of course, the Government has not abolished payroll tax. In fact, the take-up from payroll tax has increased in the order of 30 per cent in one term. That is not bad! Again, we are asked to talk about financial credibility. The Premier of the day said he would abolish payroll tax in two terms, but he was going to leave a hole in the now Budget of some \$800m. It is the biggest single revenue base -

Hon E.J. Charlton: That was provided we had the goods and services tax -

Hon JOHN HALDEN: No. He qualified it afterwards. Payroll tax would be abolished within two terms.

Hon E.J. Charlton: We thought the Opposition would win the previous election.

Hon JOHN HALDEN: That is the difficulty when people make promises. The Minister has applied a standard to himself that he would never apply to us. He would never be that tolerant of our position.

Hon J.A. Scott: As George Orwell said, some animals are equal but some are more equal than others.

Hon JOHN HALDEN: I agree. The community at large is well aware of the litany of broken promises by the Government. The community is very cynical about any political party and the promises made. It is appropriate for both major political parties to make public their promises and the resultant costs to the electorate. We will wait with bated breath for the opening of the books on the first day of the election campaign. It will be an interesting exercise, because we will be provided with all the information we need. Although I am being cynical when I say that, I am sure that the Government will trot out the old line that revenue is down and that, therefore, the Opposition's promises are hopeless and cannot be funded.

Hon E.J. Charlton: All we ask is that before you make any response you get your facts straight.

Hon JOHN HALDEN: As I said before, I will always trust my facts before I trust the Minister's so-called facts.

Hon E.J. Charlton: You have it wrong again. You suppose that things will happen, and when the situation is explained to you, and you find the information in the budget papers you accept it. I ask you to do the same thing now.

Hon JOHN HALDEN: That has happened. I am sure it has happened to the Minister. I am always grateful for the Minister's advice regarding how he works out the complicated budget papers and where everything is hidden. I am always happy to have the situation explained, but I do not want to hear on opening day of the election campaign that

state revenue is down. We will not fall for the old chestnut that state revenue is down mid-year. When I say that in this place, the Minister says that revenue comes in later in the year, therefore I am very pleased that the Minister has alerted me to that fact.

We do not want to see the same little trick which I notice in the Forward Estimates. It is an interesting numbers trick. At pages 6 and 7 I note that in relation to state revenue, taxes and licences will grow in nominal terms by 2.2 per cent, territorial royalties will grow by 12 per cent, law courts revenue will increase by 4 per cent and departmental revenue by 11.3 per cent. That is all in one year. Having noted those growth figures for state based revenue as small as 2.2 per cent and as large as almost 12 per cent, to compare like with like I turn to page 12 where it is indicated that recurrent revenue will increase only by something like \$200m. It appears that with those growth figures that will not be the case. Considering the total revenue at page 11, the State in 1997-98 will be only \$20m better off.

Hon E.J. Charlton: Do you believe that?

Hon JOHN HALDEN: No. It is absolute nonsense, and the Minister knows that it is.

Hon E.J. Charlton: Do you think that the Under Treasurer has it wrong?

Hon JOHN HALDEN: I am quite sure he has it wrong. If the Minister thinks we will fall for that nonsense, he is wrong also. The Minister has told us repeatedly about his business prowess. However, I put to the Minister again, taxes and licence revenue is up 2.2 per cent; revenue from territorial royalties is up by 12 per cent, law courts revenue is up 4 per cent, and departmental revenue is up 11.3 per cent.

Hon E.J. Charlton: Have you added that up?

Hon JOHN HALDEN: Yes, Minister, I have. My calculations are based on those figures. To add to my point, we are talking about a state economy where real gross state product will increase by 6 per cent in that year. However, with those projections the State will have only an extra \$20m as total state revenue. That is nonsense! It is typical of what we must put up with in these budget documents.

Hon E.J. Charlton: You said that you have not calculated it across the board in the different categories.

Hon JOHN HALDEN: Does the Minister want it in dollar terms? I will put it this way: Territorial revenue has increased by \$66m, and departmental revenue has increased by \$81.6m. They are two of the four areas. That amounts to around \$140m, but state revenue will increase by only \$20m.

Hon I.D. MacLean: Do you know that John D'Orazio has pledged about \$600m in the first year?

Hon JOHN HALDEN: He has not.

Hon E.J. Charlton: He said that he would build things, but not when.

Hon JOHN HALDEN: This is the Minister's trick, no more nor less.

Hon I.D. MacLean interjected.

Hon JOHN HALDEN: I expect no better from the member. We can make a commitment, and we do. Just as members opposite have proposed to use buses, we say that we should have light rail. The Minister for Transport has provided neither the costings nor the time frame - nor did Mr D'Orazio. When we announce our policy on that issue, members will be aware of the time frame and the costings. That is more than we got from the Government, with all its resources.

Hon I.D. MacLean: Is Mr D'Orazio misleading the electorate?

Hon JOHN HALDEN: As I am but a humble back bencher, I am only trying to make a point. The member will get more information from us on that issue than we have so far received from the Government. We will know tomorrow when the Minister for Transport answers my question. I would like to conclude by offering my best wishes to the members who are leaving this Chamber. We have an interesting diversity of people in this place, considering their backgrounds, education and work and life experience. During their time in this place they have all made a significant contribution. I am sure they will feel some degree of sadness about leaving Parliament, because for all of us it is an addictive lifestyle. We work long hours and I sometimes wonder why we all do it for so long. I extend my best wishes to all members who plan to leave this place. I hope they have a happy, long and worthwhile retirement. I am sure that we will continue to keep them company, even if it is irregularly. Notwithstanding the many jousts I have had with my colleagues in this place and outside, I have enjoyed their company. We have not always agreed - and that probably applies to all of them. However, they have made their contribution in very distinctive and individual ways and they have added to this place over that time.

I also wish to convey some special comments to the President. I wish him well in his new career path as the Agent General in London. It may be one of those jobs we cut out of the Budget and say that it will not be funded any longer! Nonetheless, in the past 20 years, the President has presided over a unique and different House which performs a useful role. It will probably perform a much more useful role when it is effectively reformed and reflects the view of the people for the first time in its long history.

I wish the President well. Besides the lectures we have been given, especially the more regular ones, which I am sure we could recite word for word, the hallmark of his presidency is that we have always been assured of fairness. We may not always like his lectures or what he says or makes us do - always within the standing orders - but he is fair. That is not something we could necessarily say about some other Presiding Officers in other places, or even this House. In the 10 years I have been here I do not remember his being unfair on any occasion. I have disagreed with him from time to time about his judgments, to my detriment rather than my benefit. Someone who has made such a long and worthwhile contribution is certainly deserving of our acknowledgment. I support the Bill.

Debate adjourned, on motion by Hon Tom Helm.

ADJOURNMENT OF THE HOUSE - SPECIAL

On motion without notice by Hon E.J. Charlton (Minister for Transport), resolved -

That the House at its rising adjourn until 10.30 am on Thursday, 7 November.

House adjourned at 11.34 pm

QUESTIONS ON NOTICE**FIREARMS - RIMFIRE HANDGUNS; CENTREFIRE HANDGUNS**

371. Hon TOM STEPHENS to the Attorney General representing the Minister for Police:

- (1) How many rim fire weapons are registered in Western Australia?
- (2) How many centre fire weapons are registered in Western Australia?

Hon PETER FOSS replied:

The Commissioner of Police has advised that as at 22 August 1996 there were -

(1)	Rimfire handguns	-	3 123
	Rimfire rifles	-	142 670
(2)	Centrefire handguns	-	2 374
	Centrefire rifles	-	60 208
	Shotguns	-	61 971

Note: Other miscellaneous firearms - 852.

POLICE SERVICE - DIRECTOR OF PUBLIC PROSECUTIONS, FILE SENT TO COMMISSIONER OF POLICE

503. Hon MARK NEVILL to the Attorney General representing the Minister for Police:

I refer to two articles in *The West Australian* on 24 and 25 May 1996 in respect of the lever arch file sent to the Commissioner of Police by the Director of Public Prosecutions -

- (1) On what date did the Commissioner of Police receive the file?
- (2) Did the file contain the 14 page memorandum referred to in the article?
- (3) If no, when did the Commissioner of Police become aware of, or receive, the memorandum?
- (4) What action did the Commissioner of Police take on receipt of -
 - (a) the lever arch file; and
 - (b) the 14 page memorandum?
- (5) On what dates were the instructions issued?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1) 10 January 1995.
- (2) Yes.
- (3) Not applicable.
- (4) The lever arch file and 14 page memorandum were provided to the Internal Investigations Unit for the information of officers investigating complaints from Mrs L. Crimmins and Mr R. Brennan.
- (5) No instructions were issued on receipt of the file.

TRAFFIC ACCIDENTS - WALEBING ROAD NEAR MOORA (1994)

566. Hon MARK NEVILL to the Attorney General representing the Minister for Police:

- (1) Further to question 426 of 7 May 1996, is it not usual practice within the Police Force to deem the time of the accident as the time of arrival of the police?
- (2) Is not this assumption used in many drink driving prosecutions?
- (3) Has this practice been discontinued?
- (4) Will the Minister table the Chemistry Centre (WA)'s report of the analysis of the breathalyser test and the recalculation of alcohol levels given the amount of alcohol the driver admitted consuming after the accident?

- (5) Did Senior Constable M. Lloyd receive a police netmail message from Police Officer John Oakford about this matter?
- (6) If yes, will the Minister table the text of the message?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1)-(2) No.
- (3) Not applicable.
- (4) No. A specific report as described by the member does not exist. However, I can advise that the officer investigating the crash did inquire and receive the attached opinion from the Chemistry Centre (WA) on one view of the incident, an important part of which was either unsubstantiated or known evidence indicated several alternative possibilities were not sought. Although an opinion was given by the Chemistry Centre (WA) on one aspect of the case, on review, there was found to be clear defences under section 71 of the Road Traffic Act. I refer the member to my response to parliamentary question 426(11) of 1996 on the same matter. Additionally, in the use of the centre's methodology for calculating blood alcohol content, Mr Oakford's blood alcohol was under 0.05 per cent at the time, based on the principles of justice when specific times of occurrence cannot be established and the most favourable times and calculations must be given to the defendant.
- (5) (a) Record is not kept of private communications between Police Service personnel.
(b) There is no record of such a communication contained in the crash file.
(c) Senior Constable Lloyd has since left the Police Service to follow other employment.
(d) John Oakford while a Police Service employee is not a police officer.
- (6) No, refer to (5).

POLICE SERVICE - PORT KENNEDY LAND CONSERVATION DISTRICT COMPOUND, PLOUGH
INQUIRY

631. Hon J.A. SCOTT to the Attorney General representing the Minister for Police:

I refer the Minister for Police to question on notice 272 of 30 April 1996 asked of the Minister for Primary Industry -

- (1) Has the investigation into the loss of the plough been completed?
- (2) Who conducted the investigation, how many officers were involved and how many hours' work was undertaken?
- (3) Were the contractors working at the Port Kennedy land conservation district compound interviewed?
- (4) What was the result of the investigation?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1) No investigation was conducted. Private action was suggested by police as the matter related to disputed ownership of property.
- (2) Not applicable.
- (3) No.
- (4) See (1) above.

FIREARMS - LICENCES HOLDERS; 16 AND 17 YEAR OLDS

645. Hon J.A. COWDELL to the Attorney General representing the Minister for Police:

Further to the assurances provided by the Commissioner of Police in the Legislative Council Estimates Committee hearings, I ask -

- (1) How many firearm licence holders pay an ordinary \$22 licence fee to cover -
- (a) one firearm;
 - (b) two to five firearms;
 - (c) six to nine firearms;
 - (d) ten or more firearms?
- (2) How many 16 and 17 year olds currently possess firearm licences in Western Australia, and how many weapons are covered by these licences?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1)
- (a) 38 858 licence holders.
 - (b) 57 353 licence holders.
 - (c) 8 553 licence holders.
 - (d) 1 996 licence holders.
- (2) 16 year olds - 48 licence holders with 104 firearms licensed thereon.
17 year olds - 185 licence holders with 408 firearms licensed thereon.

POLICE SERVICE - REIGERT, SENIOR CONSTABLE CHARLES, UNDER INVESTIGATION

668. Hon A.J.G. MacTIERNAN to the Attorney General representing the Minister for Police:

In respect to the answer to question on notice 525 -

- (1) When did the investigations commence?
- (2) How much longer will it be before the investigation will be completed?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1) The investigation commenced on 3 May 1996.
- (2) The investigation was finalised on 28 August 1996 and was forwarded to the Parliamentary Commissioner for Administrative Investigations for an assessment of the adequacy of the investigation.

ANTHRACNOSE DISEASE - OUTBREAK; INFECTED LUPIN SEED

935. Hon KIM CHANCE to the Minister for Transport representing the Minister for Primary Industry -

- (1) What is the known or suspected source of anthracnose disease which resulted in the 1996 outbreak?
- (2) Have all known infected crops been ploughed in, or just those which were "severely infected" as advised in the Minister for Primary Industry's media statement of 26 September 1996?
- (3) If less infected crops have not been ploughed in, what control measures have been put in place as an alternative measure?

Hon E.J. CHARLTON replied:

- (1) The original source of infection for the 1996 anthracnose disease outbreak is not known. Circumstantial evidence from seed source tracing and other investigations strongly indicates that the disease has been present for a number of years, perhaps as early as 1992. The suspect source of the anthracnose infected lupin seed was probably imported indirectly from South America.
- (2) At 21 October 1996, anthracnose infection was confirmed on 56 properties and suspected on a further eight properties (pending confirmation by plant pathologist inspection). Crop destruction notices have been issued under the Plant Disease Act (1914) for 26 properties: Approximately 3 000 hectares of severely infected crops were ploughed in, where this treatment was judged to be the best option for minimising the disease spread.
- (3) All properties with confirmed anthracnose infection have been placed in quarantine. The disease risk will be managed by removal of all infected and suspect lupin seed. Lupin seed from all infected crops must be delivered to either CBH Geraldton or CBH Fremantle, where arrangements are in place to handle the infected seed. Due to the risk of undetected infection, all lupins from quarantine properties must be

delivered for export or intensive end use. Restrictions on vehicle and machinery movement and animal grazing and movement are in place.

QUESTIONS WITHOUT NOTICE

PORT KENNEDY DEVELOPMENT - BEACHES, PUBLIC OPEN SPACE; PUBLIC BOAT LAUNCHING RAMP

1113. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Can the Minister give an unqualified assurance to the House that the areas of beach to the north and south of the proposed marina at Port Kennedy will be public space; if not, who made the decision to allow private ownership and exclusive access, and when?
- (2) Are the proponents advertising the beach as privately owned?
- (3) Has the Minister or the ministry of armed forces of Indonesia, Malaysia or Singapore invested in the Port Kennedy resort project; if so, has this been discussed with the Australian Navy in terms of security of naval facilities at Garden Island?
- (4) Is there still an intention to build a public boat launching ramp at Port Kennedy?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) No.
- (3) Not to my knowledge.
- (4) Yes. It is still the intention to build a public boat launching ramp at Port Kennedy and to that end discussions have been held between the Ministry for Planning, the Department of Conservation and Land Management, the Department of Environmental Protection and the developers at Port Kennedy.

FISHERIES DEPARTMENT - NORTHERN DEMERSAL FISHERY; STEVEN REILLY CASE

1114. Hon KIM CHANCE to the Minister representing the Minister for Fisheries:

I refer to the case of Broome fisherman Steven Reilly who has been prevented from earning an income from the northern demersal fishery since September last year and ask -

- (1) Why has Mr Reilly not been granted at least provisional access to the fishery on the ground that his catch history qualified him for access to both the inshore and offshore fisheries under the criteria established in the fishery working group's final report?
- (2) Why has Mr Reilly, who has a \$100 000 investment and several years' history in the fishery, been subjected to an unreasonable interpretation of arbitrary rules when other licence applicants with a lesser history have benefited from extraordinary flexibility in the application of those rules?
- (3) When will the Minister act to end this farcical mismanagement of the northern demersal fishery?

Hon E.J. CHARLTON replied:

The Minister for Fisheries has not had an opportunity to examine the issues. I will provide the member with the answer tomorrow.

BARTHOLOMAEUS, NEIL, WORKSAFE COMMISSIONER - REPORT ON CONDUCT

1115. Hon A.J.G. MacTIERNAN to the Leader of the House representing the Premier:

On 23 October 1996, the House was advised that the Premier had requested the Public Sector Management Office to provide a report on Mr Neil Bartholomaeus' conduct in criticising the opposition movement for disallowance of the occupational health and safety regulations.

- (1) Has that report been completed?
- (2) If yes, will the Leader of the House table the report?

- (3) If not, what has been the cause of the delay in finalising the report and will it be completed and tabled before Parliament is prorogued?

Hon N.F. MOORE replied:

- (1) Yes.
- (2)-(3) I have been unable to discuss this matter with the Premier, but I will do so as soon as possible. I will advise the member accordingly once I have had that discussion.

PAPOTTO, SAMUEL JOHN - DISTRICT COURT CASE

1116. Hon SAM PIANTADOSI to the Attorney General representing the Minister for Police:

I ask the Minister for Police the following questions about the case of Samuel John Papotto, who pleaded guilty in the District Court of Western Australia on 20 June 1996 to a charge of threatening with intent to cause detriment -

- (1) Why do the police not know when they received the warrant?
- (2) Why did Victoria Park Police Station handle the inquiries when Papotto lives at 88 South Street, Fremantle?
- (3) Why was a warrant not sent to Fremantle Police Station?
- (4) Are the police aware that Papotto has missed the deadline instructed by the court to pay the \$2 000 fine?
- (5) Is Papotto in custody after the execution of the warrant?
- (6) If not, why not?
- (7) Have police inquiries handled by Detective Sergeant Van Aiken into Papotto's perjury allegations been concluded?
- (8) If so, why has he not been charged with perjury?
- (9) How many other complaints have the police received concerning Papotto?
- (10) If any, what actions are the police taking to stop his criminal activities?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Fremantle police received the warrant from the central warrant bureau on 21 October.
- (2) As a result of information received that Mr Papotto resided in Victoria Park, the warrant was forwarded to Victoria Park Police Station, where it was received on 30 October.
- (3) See answers (1) and (2).
- (4) Yes; a warrant was issued by the District Court.
- (5)-(6) Mr Papotto is not currently in custody. The warrant was satisfied by payment in full on 30 October.
- (7)-(8) Police inquiries have been completed and all available information has been forwarded to the Director of Public Prosecutions for examination.
- (9)-(10) None.

It is not appropriate to refer to a person's criminal activities until he has been convicted.

JEAKINGS, BEN - STATEMENTS TO BUILDING AND CONSTRUCTION INDUSTRY TASK FORCE

1117. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Labour Relations:

On 29 October when I asked if the Minister would table the statement Mr Jeakings had given to the Building and Construction Industry Task Force on 9 March, the Minister replied that parties to the statement would be contacted to ascertain their views on tabling the report. Given that Mr Jeakings is the only party to the statement, why has he not yet been contacted in this regard?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

The statement given by Mr Jeakings to the Building and Construction Industry Task Force on 9 March contains reference to several parties other than Mr Jeakings, all of whom are being contacted in writing for their written response.

Hon Alannah MacTiernan is well aware that her allegations in this House on 24 October of bribery against an inspector were thoroughly investigated by the task force and by the Police Service. Insufficient evidence was found to prefer criminal charges. Mr Jeakings' statements to an inspector of the task force, with 22 years police experience, made no reference to the term "bribe".

Hon A.J.G. MacTiernan: We would like to see them.

Hon MAXEVANS: Following Hon Alannah MacTiernan's claims of bribery on 24 October, Mr Jeakings voluntarily contacted the task force and said that he had no further information to add to previous statements made to it.

Hon Alannah MacTiernan's allegations of bribery still cannot be substantiated. Due process in regard to the inspector was followed and at its conclusion the inspector was disciplined in accordance with the Public Sector Management Act.

POLICE SERVICE - WORKSAFE WA, CORRUPTION ALLEGATIONS INQUIRY

Jeakings, Ben, Interview

1118. Hon A.J.G. MacTIERNAN to the Attorney General representing the Minister for Police:

I refer to the answer to question without notice 1099 and ask -

- (1) If no notes were recorded of the interview that Senior Detective Cubbage allegedly had with Mr Ben Jeakings some time in March 1995, what evidence is there that such an interview took place?
- (2) Is it acceptable practice for a police officer investigating a complaint not to record any details of his interview with the complainant?
- (3) Why cannot Senior Detective Cubbage indicate on which day the alleged interview with Mr Jeakings took place?
- (4) Why did Senior Detective Cubbage ring Ben Jeakings last week after inquiries were made in Parliament about the fraud squad investigation?
- (5) Did Mr Jeakings tell Senior Detective Cubbage during that telephone interview that he was concerned that Cubbage was now trying to cover up for his failure to make any contact with him during the 1995 investigation and that he, Mr Jeakings, was not prepared to cover for him?
- (6) Will the Minister for Police or the Commissioner of Police order an independent report on the fraud squad's alleged investigation of Mr Jeakings' complaints?

Hon PETER FOSS replied:

I thank the member for some notice of this question. I have been unable to obtain the necessary information to provide a response. I therefore ask that the member put the question on notice and I will endeavour to provide a response.

SOLAR POWER STATION - ESTABLISHMENT COMMITMENT

1119. Hon J.A. SCOTT to the Leader of the House representing the Premier:

I refer to the Premier's response to question without notice 1054 on 30 October and ask -

- (1) Did the Premier promise in 1993 to create a solar power station capable of meeting the electricity demands of a population of 1 000 residents?
- (2) When was this station established and where?
- (3) If it has not been established, will the Premier explain why this commitment has not been honoured?

Hon N.F. MOORE replied:

- (1) Yes.
- (2)-(3) A Co-operative Research Centre for Renewable Energy commenced at Murdoch University in July 1996. The centre is using a Renewable Energy Advisory Council grant to review energy use in the remote

Aboriginal community of Warrimanu, Balgo Hills. This will lay the groundwork for short term and longer term initiatives in the area of energy efficiency and the integration of renewable energy technology into remote power supply systems. In addition, Western Power has commissioned a 20 kilowatt photovoltaic solar power system at Kalbarri to research and demonstrate the benefits of such a system.

POLICE SERVICE - CASELLA, DOMINIC, BRIBERY RELATING TO WAYNE BRADSHAW CASE

1120. Hon SAM PIANTADOSI to the Attorney General representing the Minister for Police:

I refer the Minister for Police to the case of Dominic Casella who was charged by the police for bribery relating to Wayne Bradshaw, former Mayor of Wanneroo, and ask -

- (1) Since these charges have been withdrawn, have the police apologised to Mr Casella?
- (2) If not, why not?
- (3) Is the Minister aware that because the police were pursuing the case in the Magistrate's Court, it cost Mr Casella approximately \$120 000 to defend charges, which were false in the first instance?
- (4) As these charges were withdrawn, will the Minister consider paying compensation to Mr Casella to reimburse him for his losses?
- (5) If not, why not?
- (6) Have the police officers involved in this case - Detectives Gage, Somers and Mills - been reprimanded by their superiors?
- (7) If not, why not?
- (8) Is the Police Service investigating the conflicting evidence given at the preliminary hearing in the Magistrate's Court, where Detectives Gage, Somers and Mills and police informant Samuel Papotto gave evidence under oath?
- (9) If not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) The charge preferred against Mr Casella was the subject of a preliminary hearing in the Perth Magistrate's Court in July 1996. The magistrate found that Mr Casella had a case to answer and committed him to stand trial in the Perth District Court. The Director of Public Prosecutions reviewed the prosecution case and subsequently lodged a nolle prosequi.
- (3) No.
- (4)-(5) This issue is not a matter within the portfolio responsibility of the Minister for Police.
- (6) No.
- (7)-(9) An investigation is currently under way to establish if any criminal conduct or breach of Police Service regulations was involved in the preparation and presentation of the prosecution against Mr Casella.

HEALTH DEPARTMENT - COMMUNITY CHILD HEALTH CENTRES

1121. Hon JOHN HALDEN to the Attorney General representing the Minister for Health:

I refer to the screening, immunisation and treatment service for infants within community child health centres, offered under the community health program of the Health Department and ask -

- (1) How many child health community nurse full time equivalents were funded under this service in 1994-95, 1995-96 and 1996-97?
- (2) What was the budget allocation for this service in 1994-95, 1995-96 and 1996-97?
- (3) What new community child health centres were opened in 1994-95 and 1995-96, and are planned to be opened in 1996-97?

Hon PETER FOSS replied:

As the answer to this question will take some considerable time to collate, I ask the member to put the question on notice.

WESTERN POWER - BROOME, ELECTRICITY SUPPLY PROBLEMS

1122. Hon MARK NEVILL to the Leader of the House representing the Minister for Energy:

- (1) Is the Minister aware of the problems with Western Power generation in the township of Broome, whereby Western Power is currently not able to meet existing and projected demands for electricity within the town?
- (2) What steps is the Minister taking to ensure there are no repeats of recent power failures and power restrictions within the town, as a result of Western Power's refusal to install additional power generation units in the Broome powerhouse?

Hon N.F. MOORE replied:

I do not have a copy of the question or the answer. I can only assume that because the Minister is not available, the question has not gone through the usual system. I will check that and if the member puts the question on notice, I will provide an answer.

HOSPITALS - MANDURAH

*State Debt Funding; Peel Health Services Agreement***1123. Hon KIM CHANCE to the Attorney General representing the Minister for Health:**

- (1) Why is state debt increasing to pay for the new private hospital at Mandurah?
- (2) Will the services agreement with Health Solutions (WA) Pty Ltd for Mandurah Hospital be signed before construction starts on 18 November, and will full details be made public immediately?
- (3) Will the services agreement contain any guarantees in favour of Health Solutions?
- (4) Will the Premier provide the Opposition with a briefing by Under Treasurer Alan Langoulant on the financing of Mandurah Hospital?

Hon PETER FOSS replied:

- (1) The State is gaining an asset and it is therefore appropriate to include the cost of this in the state debt.
- (2) The Peel Health Services agreement will be signed when the final detail is completed in accordance with the already signed heads of agreement. A copy of the contract will be made publicly available when signed.
- (3) Health Solutions will not be given any special guarantees.
- (4) I will request the Minister for Health to consult with the Treasurer concerning a Treasury briefing. The Under Treasurer is John Langoulant; I believe Alan Langoulant is a cartoonist.

HOSPITALS - MANDURAH

*BZW Investment Management Australia Pty Ltd***1124. Hon J.A. COWDELL to the Attorney General representing the Minister for Health:**

Does the Attorney General now have the answer to the question I asked previously about BZW Investment Management Australia Pty Ltd as follows -

- (1) Why is BZW Investment Management Australia Pty Ltd being paid \$500 000 for the sale of Treasury bonds, purportedly associated with capital fundraising for the Mandurah Hospital, when usually no brokerage fee is associated with Treasury bonds?
- (2) Why is BZW being paid \$1m for project management? What project management is involved when the care aggregate model handles all aspects of building management?
- (3) Are these management and brokerage fees paid from the Health budget or the specific allocation to the Peel regional health district?
- (4) Is it correct that this method of financing the Mandurah Hospital precludes any parliamentary scrutiny?

(5) Is this another example of WA Inc under this Government?

Hon PETER FOSS replied:

- (1)-(2) BZW Investment Management Australia Pty Ltd is not being paid for the sale of Treasury bonds or project management. The fees paid cover the following: Financial structuring fee, letter of credit underwriting fee, transaction costs, legal fees, guaranteeing the construction completion date and some out of pocket expenses. Bonds were issued by WA Treasury Corporation and no brokerage fee applied.
- (3) Out of the specific allocation for the campus development.
- (4) No. The normal processes of parliamentary scrutiny will apply to this project.
- (5) No, and I refer the member to Standing Order No 140(a)(ii)(2), (3) and (4).

URBAN BUSHLAND STRATEGY - TOWN PLANNING AND DEVELOPMENT ACT, AMENDMENT

1125. Hon J.A. COWDELL to the Attorney General representing the Minister for Planning:

Does the Minister now have the answer to the question I asked regarding the urban bushland strategy as follows -

The Government's urban bushland strategy states that, to increase the protection of remnant native vegetation in urban areas "clearing of bushland will be defined as development in the Town Planning and Development Act 1928 and any proposals to clear bushland over one hectare will require the approval of the Western Australian Planning Commission". Having regard to that statement, I ask -

- (1) Has the Government amended the Town Planning and Development Act 1928 and, if not, what other legislative steps has it taken to protect urban bushland in the 16 months since the release of its strategy?
- (2) Of the 6 408 ha of urban bushland cleared between 1994 and 1996 is the Minister aware of any areas of more than one hectare which received the approval of the Western Australian Planning Commission?
- (3) Will the Minister confirm that Agriculture Western Australia, which has authority in relation to the clearing of land greater than one hectare in size in the metropolitan area, has been told by the Minister for Planning or any other person that it should stick to rural areas?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) I ask that the question be placed on notice.

WORKSAFE WESTERN AUSTRALIA - GENERAL CONSTRUCTION BRANCH, INVESTIGATIONS
REDUCTION; LEAVE

1126. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Labour Relations:

Does the Minister have the answer to the question I asked regarding WorkSafe WA, as follows -

- (1) Can the Minister confirm that the number of investigations by the general construction team in the first quarter of this financial year has dropped to 158, representing less than a third of the 514 inspections carried out during the same period in 1995-96?
- (2) Can the Minister confirm that of the total working days available to the general construction branch, more than 50 per cent were taken as leave?
- (3) Why was so much leave approved during that period?
- (4) Why were adequate relief arrangements not made by the department?
- (5) How many of the eight inspectors in the general construction team from 1 July 1996 to 30 September 1996 -
- (a) have resigned;
- (b) are taking paid leave; or
- (c) are taking unpaid leave?

- (6) Has the chief inspector of construction engineering now taken leave?
 (7) If yes, when did that leave commence and how long is it for?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) There was no general construction team in the first quarter of 1995-96, so the information is not comparable.
 (2)-(4) The department does not prevent staff from taking accumulated leave to which they are entitled. Adequate servicing of the construction inspectorate is always available during periods of leave.
 (5) (a) One;
 (b) two;
 (c) two.
 (6)-(7) The Chief Inspector Construction and Engineering is on approved annual leave from 4 to 8 November.

EL NINO SOUTHERN OSCILLATION - RESEARCH GRANT; REPORT

1127. Hon J.A. SCOTT to the Leader of the House representing the Premier:

- (1) Did the Premier in January 1993 support research into the El Nino southern oscillation, which is believed to be responsible for some of Australia's medium term weather patterns?
 (2) If yes, will the Premier provide details of the support provided and the results of that research?

Hon N.F. MOORE replied:

- (1) Yes.
 (2) In 1993-94 the Government granted \$110 000 to a national Commonwealth Scientific and Industrial Research Organisation research program. A final report on this work was released in February 1995.

Further, in association with the Queensland and Northern Territory Governments, the Western Australian Government commissioned the CSIRO Division of Atmospheric Research to review in detail the influence of the El Nino southern oscillation on the tropical monsoon.

HEALTH DEPARTMENT - PEEL HEALTH SERVICE

*Board, Future Proposal; Administration, Relocation to Mandurah, Cost***1128. Hon J.A. COWDELL to the Attorney General representing the Minister for Health:**

- (1) In view of the Government's decision to privatise the Mandurah campus of the Peel Health Service, will a Murray Districts Hospital board be reconstituted as a local autonomous board?
 (2) What was the total cost of relocating the administration of the Peel health region to Mandurah?
 (3) Will the former administration area at Murray District Hospital be reconverted to ward space?
 (4) If yes, what will be the cost of this conversion?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

- (1) The current proposal is that the Peel Health Services Board will remain in place with responsibilities for the Murray District Hospital, the community based services throughout Peel and the Mandurah Hospital via the contract with Health Solutions.
 (2) Approximately \$31 000. This has facilitated several clinical services to now be provided from the hospital sites. It is not proposed to further relocate the Peel health administration.
 (3) It is planned that a full redevelopment in Pinjarra will occur. This could mean the development of a new facility better suited to local needs.
 (4) This is unknown at this stage and will depend on the final facility outcome for the Murray District Hospital.

POLICE SERVICE - OFFICERS, ADDITIONAL; COST

1129. Hon JOHN HALDEN to the Attorney General representing the Minister for Police:

Some notice of the question has been given.

- (1) In the forward estimates 1996-97 to 1999-2000, how many additional police are expected to be taken on by the WA Police Service?
- (2) What is expected to be the cost of this?

Hon PETER FOSS replied:

- (1) The 1996-97 forward estimates provide for the recruitment and training of sufficient police officers to finalise the Government's commitment to provide a net increase of 500 officers. The total number of authorised sworn officers in this State will then be 4 698. In addition, it provides for the completion of the civilianisation program to release 300 police officers to frontline policing. There are no plans at this stage to increase the total number of police officers but there will obviously be recruitment and training to cover attrition.
- (2) The total cost of recruitment and training is to be met from within the overall budget allocation for the WA Police Service.

BUNBURY PORT AUTHORITY - SURVEY BY PATTERSON MARKET RESEARCH

1130. Hon BOB THOMAS to the Minister for Transport:

I have given some notice of the question.

- (1) Did the Bunbury Port Authority commission a survey which was carried out in Clifton Park, Australind, Eaton and Bunbury last week?
- (2) Which firm undertook the survey and what was the cost?
- (3) Has the Minister or any of his staff been provided with any of the results of the survey?
- (4) Have any coalition candidates for either the Legislative Council or the Legislative Assembly districts in the south west been provided with a copy of the report or details of the results of the survey?
- (5) If yes, why was information not provided to other candidates in that region?
- (6) Will the Minister table the results of this survey before the House rises this week?

Hon E.J. CHARLTON replied:

- (1) Yes.
- (2) Patterson Market Research.
- (3) Yes.
- (4) No.
- (5) Not applicable.
- (6) No. However, I will arrange for the Bunbury Port Authority to forward a copy of the survey results to the member.

MASTER MEDIA AGENCY - ADVERTISING CAMPAIGNS, COSTS

1131. Hon KIM CHANCE to the Leader of the House representing the Premier:

Some notice of the question has been given.

I refer to the answer to question on notice 940 in which the Leader of the House invited the Opposition to seek information about the costings of specific advertising campaigns coordinated by Master Media Agency Marketforce.

- (1) What is the estimated total cost to the Government of advertising campaigns for -
 - (a) early childhood education;
 - (b) drug awareness;

- (c) minimum wage; and
 - (d) Department of Commerce and Trade grants?
- (2) If these costs are not available, why has the Government committed itself to them without first ascertaining the cost to taxpayers?
 - (3) Is the total cost of the strata titles advertising campaign still \$148 264.55, as given in the answer to question without notice 964?
 - (4) If not, what is the revised amount?
 - (5) Of the total amount spent on the strata titles advertising campaign, what amount was spent on -
 - (a) television advertising; and
 - (b) newspaper advertising?

Hon N.F. MOORE replied:

- (1) As detailed in the answer to question on notice 940, I am prepared to consider providing the answer to the honourable member's question. However, the Master Media Agency has advised it will take several days to collate and check the information sought. When I have that information I will make it available to the member.
- (2) Not applicable.
- (3) No.
- (4) \$154 264.55.
- (5)
 - (a) \$6 000;
 - (b) \$138 124.55.

ROADS - MITCHELL FREEWAY, FROM OCEAN REEF ROAD-BURNS BEACH ROAD, EXTENSION
PLANS

1132. Hon JOHN HALDEN to the Minister for Transport:

Some notice of the question has been given.

- (1) Has the department given a commitment or made plans to extend the Mitchell Freeway from Ocean Reef Road to Burns Beach Road?
- (2) If so, how much money has been committed to this project?
- (3) When will construction commence?

Hon E.J. CHARLTON replied:

- (1)-(3) Yes, it is intended to undertake this project. The estimated cost is \$75m and work will commence when funds are available.

TRAFFIC ACCIDENTS - PINJARRA ROAD; MANDURAH BYPASS, INVOLVING PRIMARY AND
PREPRIMARY SCHOOL CHILDREN

1133. Hon J.A. COWDELL to the Minister for Transport:

Some notice of the question has been given.

How many primary school children or preprimary school children have been injured when crossing either Pinjarra Road or the bypass road to go to school?

Hon E.J. CHARLTON replied:

Main Roads Western Australia's reported accident records show that there were four accidents involving primary and preprimary school age children on the Mandurah bypass and Pinjarra Road in Mandurah between 1 January 1995 and 30 September 1996.

WASTEWATER TREATMENT PLANT - GORDON ROAD, MANDURAH, EXPANSION

1134. Hon J.A. COWDELL to the Minister representing the Minister for Water Resources:

- (1) What is the timetable for the doubling in size for the wastewater treatment plant in Gordon Road, Mandurah?
- (2) What is the projected increase in odour as a result of this expansion?
- (3) What additional measures have been taken to protect those residents most immediately affected?

Hon MAX EVANS replied:

I thank the honourable member for some notice of the question. I request that the question be placed on notice.

ROADS - YALGOO-GOLDEN GROVE, UPGRADING TO BLACKTOP STANDARD, FUNDING

1135. Hon MARK NEVILL to the Minister for Transport:

- (1) Will the State Government assist the Shire of Yalgoo to meet the cost of upgrading to blacktop standard the road from Yalgoo to Skuddles minesite at Golden Grove?
- (2) If not, why not?

Hon E.J. CHARLTON replied:

- (1) Yes. Main Roads Western Australia is contributing 20 per cent of the cost of a four year program being undertaken by the Shire of Yalgoo to upgrade the road from Yalgoo to Golden Grove to blacktop standard. Murchison Zinc Pty Ltd is contributing 70 per cent and the Shire of Yalgoo 10 per cent.
- (2) Not applicable.

WORKSAFE WESTERN AUSTRALIA - LANDFILL GAS AND POWER PTY LTD, COMPLAINT AGAINST; INSPECTIONS

1136. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Labour Relations:

- (1) Which WorkSafe WA inspector took a complaint from a Mr Peter White concerning Landfill Gas and Power Pty Ltd on or around 19 September 1996?
- (2) Which WorkSafe WA inspector visited the site on or around 25 September?
- (3) Why was prior notice given to the management of Landfill Gas and Power Pty Ltd concerning the proposed inspections?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Inspector P. White took a complaint concerning Landfill Gas and Power Pty Ltd from an employee on 23 September 1996.
- (2) Inspector J. Ebert visited the site on 25 September.
- (3) As this site is not attended on a continuous basis, management was contacted to ensure access to the site could be obtained.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - DWELLINGUP CARAVAN PARK

1137. Hon J.A. COWDELL to the Minister for the Environment:

- (1) Will any additional costs associated with the development of the Dwellingup caravan park on Department of Conservation and Land Management land be borne by CALM either directly or indirectly through rental adjustment?
- (2) If yes, what are these costs?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1)-(2) No.

PETROL LEVY - REDUCTION PLANS

1138. Hon MARK NEVILL to the Minister for Transport:

- (1) A major part of the Government's rationale for introducing a levy of 4¢ a litre on petrol was to overcome what it perceived to be a biased and unfair distribution of road funds from the Keating Federal Government to Western Australia. Now that the coalition Howard Government is in place and has presided over its first Budget, why is the 4¢ a litre on petrol still necessary?
- (2) When will the levy be revoked?
- (3) If not, why not?

Hon E.J. CHARLTON replied:

- (1)-(3) I never fail to be amazed by members of the Opposition. A little while ago the member asked me a question relating to a government contribution to a road at Yalgoo for the mining industry to which the mining company is contributing 70 per cent of the funds to enable the road to be upgraded. In the next breath he has asked the Government to do away with the 4¢ a litre because he does not support the 10 year road program. Now that the federal coalition Government is in power -

Hon Mark Nevill: You could get it from the Howard Government.

Hon E.J. CHARLTON: I take the same view of the Howard Government as I did of the previous Government. The only difference is that the Opposition runs for cover and buries itself in a hole and will not come out and say that it wants to see more money spent on roads. The Opposition is constantly criticising money being spent on the roads in Western Australia. When will it start to learn that country Western Australia deserves the best -

Several members interjected.

Hon E.J. CHARLTON: They are guilty!

The PRESIDENT: Order! Remember those 85 dBA.

Hon E.J. CHARLTON: The current Commonwealth Government, like the previous one, has kept the same amount of funding in place. It has introduced two new categories, black spot and roads of national importance, the funding for which it has taken off national highways. When Labor Parties across Australia take road funding seriously and start thinking about the people of Australia rather than their biased political activities of trying to promote their own little areas -

Several members interjected.

The PRESIDENT: Order!

Hon E.J. CHARLTON: I am told the people in Hon Mark Nevill's electorate have never been so pleased with the funding that has been allocated to them. It was denied for the 10 years that the Opposition was in government.

Hon Mark Nevill: It was a National Party meeting.

Hon E.J. CHARLTON: It was not at all.

Several members interjected.

The PRESIDENT: Order! Hon Mark Nevill will come to order.

Hon Mark Nevill: He is not answering the question.

The PRESIDENT: It does not matter whether the Minister answers it or not; the member is not allowed to call out.

Hon E.J. CHARLTON: The meeting was in Laverton on the road to Warburton. People there said it was good to see somebody who was interested in roads, unlike the people who were supposed to represent them who never did anything for the roads in the 10 years they were in government. When we increased the fuel levy by 4¢ a litre for this 10 year program we said that if we had a sudden turnaround in the funding from the Federal Government of the day to commit itself to giving Western Australia the 37¢ that it now collects, we would be in a position to reduce the amount made available from state sources.

Hon Mark Nevill: When will you run your big advertising program?

Hon E.J. CHARLTON: It is going all the time. Has the member seen "Fix Australia, Fix the Roads" signs when he is driving?

Hon Kim Chance: They are on national roads.

Several members interjected.

The PRESIDENT: Order! The Minister will bring his answer to a conclusion.

Hon E.J. CHARLTON: It was a very broad question -

Several members interjected.

The PRESIDENT: Order! The Minister is making the answer broader.

Hon E.J. CHARLTON: I thought it deserved a full and comprehensive answer for the member's benefit. Obviously he lacks knowledge on this issue. If he is to properly represent the truth, which is something he would obviously want to do, he must be in possession of the facts to ensure that he can tell the people of his electorate and all of Western Australia that we have a 10 year road program which is related to the 4¢ a litre increase in the fuel levy. Any reduction in that sum would see a reduction in that allocation, particularly to the people in the member's electorate. I would not want to deny the people of his electorate the improved road system they have been able to gain under this Government.

QUESTIONS ON NOTICE - 343, CORRECTION TO ANSWER

1139. Hon PETER FOSS:

I refer to parliamentary question 343 which I answered in the Legislative Council on Thursday, 27 June 1996. In preparing a response to ministerial correspondence relating to the same issue, the Department of Conservation and Land Management has discovered that part of the answer provided was incorrect. In paragraph two of part (3) of the answer it stated, "In addition CALM has established an active relationship with natural resources management in the Faculty of Agriculture, UWA, through funding of postgraduate research in the order of \$450 000 over three years." The correct amount of funding provided by CALM is up to \$180 000 over three years, not \$450 000 as stated. In addition, the department advises me that the answer may give the impression that this funding was specifically related to dieback disease. In fact, although the department placed priority on a postgraduate project relating to the spread and intensification of dieback to geology and land form, no student expressed interest in taking up that project. The department has apologised to me for providing an incorrect figure in the answer and in turn I apologise for passing that information on to the House.
