



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1998

LEGISLATIVE COUNCIL

Thursday, 11 June 1998

Legislative Council

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THE PRESIDENT (Hon George Cash) took the Chair at 11.00 am, and read prayers.

SUBMISSION BY THE STATE GOVERNMENT TO THE NATIONAL COMMISSION OF AUDIT

Tabling of Paper - Order of the Day No 45

Hon N.F. Moore (Leader of the House) tabled the States and Territories Joint Submission to the National Commission of Audit, in relation to Order of the Day No 45 .

[See paper No 1682.]

OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996 FOR PRIMARY INDUSTRY

Review - Amendment on the Amendment to Motion

Resumed from 10 June on the following motion -

That the Occupational Safety and Health Regulations 1996 for primary industry be reviewed with the intention of developing and implementing a code of practice.

To which the following amendment was moved -

That all words after "That" in the first line of the motion be deleted and the following words be inserted -

the primary industry sector be encouraged to develop an industry code of practice for approval by the Minister for Labour Relations under section 57 of the Occupational Safety and Health Act 1984 to enhance and support compliance with the duty of care provisions of that Act and the Occupational Safety and Health Regulations 1996.

To which the following further amendment was moved -

- (1) To delete "develop" in line 1 and substitute "complete";
- (2) to delete the words "under section 57" in line 2 and substitute "meeting the objects contained in section 5"; and
- (3) to delete all words after "1984" in line 3 and substitute -

A review of regulations be undertaken so as to repeal those no longer required for compliance which currently cover the primary industry sector.

HON B.K. DONALDSON (Agricultural) [11.03 am]: In concluding my remarks from yesterday, I indicate that this amendment has cobbled together Hon Tom Helm's amendment and the original motion proposed by Hon Murray Criddle. In no way does it detract from the issue debated in this House by a number of speakers. I hope this further amendment gives an opportunity for the completion of a code of practice, and also will remove those regulations that pertain to the primary industry sector which would no longer be required. All the speakers in this debate so far have recognised that it creates difficulties when a wide ranging series of regulations apply to an industry such as the pastoral industry and other primary industries.

Adjournment of Debate

HON CHRISTINE SHARP (South West) [11.05 am]: I move -

That debate on this motion be adjourned until the next day of sitting.

Question put and a division taken with the following result -

Ayes (15)

Hon Kim Chance
Hon J.A. Cowdell
Hon Cheryl Davenport
Hon E.R.J. Dermer

Hon N.D. Griffiths
Hon John Halden
Hon Tom Helm
Hon Helen Hodgson

Hon Norm Kelly
Hon Ljiljana Ravlich
Hon J.A. Scott
Hon Christine Sharp

Hon Ken Travers
Hon Giz Watson
Hon Bob Thomas (*Teller*)

Noes (15)

Hon M.J. Criddle
 Hon B.K. Donaldson
 Hon Max Evans
 Hon Peter Foss

Hon Ray Halligan
 Hon Barry House
 Hon Murray Montgomery
 Hon N.F. Moore

Hon M.D. Nixon
 Hon Simon O'Brien
 Hon B.M. Scott
 Hon Greg Smith

Hon W.N. Stretch
 Hon Derrick Tomlinson
 Hon Muriel Patterson
(Teller)

Pair

Hon Tom Stephens

Hon E.J. Charlton

The PRESIDENT: The result of the division is ayes 15, and noes 15. It, therefore, comes down to a casting vote of the President and, as the House is not able to make up its own mind with respect to the adjournment, I vote with the noes; that is, the debate will be allowed to proceed.

Question thus negatived.

Debate (on Amendment to the Amendment) Resumed

HON MURRAY MONTGOMERY (South West) [11.09 am]: This subject is of interest to me in a personal sense as well as an industrial sense in respect of the regulations that have been implemented. As speakers before me have said, those regulations need to be reviewed because many of the circumstances for which they were written do not now relate to the workplace in respect of its description and how it is used by the employees and the employers. It is within that context that the review needs to take place and a code of practice needs to be implemented which is flexible, whereas the present regulations are somewhat inflexible. That review should take into account all accidents and incidents on which data is available, so that they can be identified and a process be put in place to better identify the workplace and its use for the betterment of employees.

The Kondinin group identified one of these areas as being machinery design. I remember when I was a young person as I came home from school I would see many types of machinery, particularly tractors which in those days were so designed that instead of having a wide wheel spacing at the front that gave stability, the front wheels were very close together so that the machines were virtually triangular. That gave a degree of instability, particularly in hilly areas. The design changes certainly needed to be put in place. Hon Kim Chance said he has known people who have been killed, and I am aware of others who have been killed in a similar manner. I recall an accident that I assisted with in which the operator of a tractor and piece of machinery was killed after his clothing was caught in a power take-off. These are the sorts of issues in respect of which the regulations should be reviewed to guarantee that machinery design will ensure that machinery is in keeping with safety in the farmer's workplace. The safety of farm employees also needs to be considered. It may be that the only regulation needed for those work practices is that of the duty of care. It is the right of every employee to have a duty of care regulation covering his workplace. It is also inherent that the employee needs to take that duty of care, because often the employee works unsupervised and he therefore needs to accept the role of taking care of himself and ensuring that what he does is not dangerous for his own health.

One thing we need is that when the Department of Occupational Health, Safety and Welfare identifies a faulty design in machinery or equipment, it should indicate how the design should be changed or what modifications should be made to the machinery. In that way we will see some benefits emanating from its work, rather than the department simply saying it will prosecute and saying that the design was wrong or there was some other fault.

When I worked for a food processing company, we were given a direction in the field. We were required to clean the machine while it was moving, using a piece of dowsing because that was the only way one could fully clean the machine in the paddock. One night I was picked up by the claws of this machine. It picked up my clothing and it was only by good fortune that I was able to pull my jacket off. The jacket disappeared, but at least I escaped without losing an arm. I was cleaning the machinery in the manner that I was shown. That is how accidents can occur. I believe it was a machine design fault. It was not the employee's or the employer's fault. They are the areas that we need to ensure are changed and they can only be brought to notice when something goes wrong. Machinery engineers need to take note of that when they design future machines. One cannot always modify machinery that has already been manufactured.

I looked through some of the pamphlets and booklets that have been distributed. One in particular indicates how safe areas can be created around a house, home or farm. Although it talks of safety, practicalities must also be taken into account. It talks of kid safe farms. Although farmers can take all the care in the world, kids are inquisitive and will find a dam that is relatively close to the farmhouse. My children, and I am sure this is the case for others on farms, always had a fascination for water. Kids will go to a dam to see the birds -

Hon Greg Smith: And tadpoles.

Hon MURRAY MONTGOMERY: That is right. Children love to find the animals and reptiles that are around farm dams. The only problem is that unless electric fences are around the dams children will find a way in - and sometimes these fences do not work. One of my nephews found a way to get over an electric fence to get to the dam. He loved to play in the water and with the tadpoles and frogs and anything else he could find. It was of great concern to his parents. They were fortunate, but others are not. Dangers and risks can always be found on farms. Inflexible regulations, such as these, are designed for another type of workplace, not a farm. It is important to make sure we have a code of practice that will accommodate the farm workplace. On one hand nobody wants to see people killed, maimed or injured in any workplace, but on the other hand we must have flexible regulations to accommodate people working on farms.

As part of their training programs, the agricultural colleges dotted around the State show how farms can have a safe working environment. Part of the role of those educators is to ensure our younger people gain that knowledge early on. The national certificate course on farm procedure includes instruction on how a safe workplace can be accommodated. Our young farmers are being taught how to look after themselves, how to protect themselves and how to create a safe working environment. That must be encouraged so that the young people coming into the farming industry have some understanding of their responsibilities for having a safe work place where workers are less likely to be injured, and in some cases killed.

Hon Bruce Donaldson and others discussed the issue of stock handling. The shearing industry is not easy. Many workers in this industry suffer back injuries in the workplace. Sheep are extremely heavy. On a daily basis workers can be pulling and lifting animals each weighing between 50 and 100 kilos on a repetitive basis. Obviously that will cause injuries to some workers. Over the past 20 or 30 years there have been advancements in that area, such as the use of back aids that take the weight off a worker's back while shearing sheep. It provides some concern for the industry.

Over the past few weeks newspaper articles have reported on a court case in the eastern States, where a wife has taken her husband's employer to court because of the effect on their marital relations of her husband's injuries, which he sustained while working on a farm. It will be very interesting to see the judgment when it is handed down.

During the marking process, livestock - sheep or cattle - take their toll on workers. At times it can be dangerous. Workers must constantly be alert and able to get out of the way of livestock when they rush at an area. If the workers do not get out of the way, they can end up with severe injuries. By the same token, we cannot make an area so safe that people cannot get into the yards to handle livestock, solely on the basis that an injury may be caused. Workers must be able to get into certain areas, but their employers must be sure the workers are alert and understand the potential danger of their being hit while handling livestock. The workers must be ready to climb out of the yards and get out of the way of any danger.

We must be sure we have flexibility in these regulations. Hon Bruce Donaldson has moved to ensure the regulations are reviewed and to repeal those areas that are not needed. We must also have a code of practice that will ensure we have much safer farm workplaces. We must encourage our employees to take responsibility for their own duty of care. We must also encourage those involved in the education of people in the farming industry not only to continue their efforts with the young, but also to have farm training courses for older people who have been involved in the farming for a considerable time, to show them the areas where they could be endangering themselves.

As one gets older one's reflexes and reaction times are somewhat slower than those of a younger person. Older workers need to take time to assess the situation to ensure that they are not endangering themselves or even laying themselves open to criticism for not having taken the time and effort to protect themselves. I am pleased that Hon Murray Criddle brought these issues to the attention of the House. Members who have spoken in the debate all agree that the farm is not a safe workplace, but it can be made safer. I am sure that an agriculture code of practice rather than inflexible regulations will achieve a much safer workplace. Therefore, I encourage members to support the amendment that Hon Bruce Donaldson has moved.

HON KEN TRAVERS (North Metropolitan) [11.32 am]: I support the amendment moved by Hon Tom Helm.

The PRESIDENT: Order! We are dealing with the amendment on the amendment. Hon Ken Travers can agree or disagree with that and as part of his comments he can discuss Hon Tom Helm's amendment.

Hon KEN TRAVERS: I oppose the amendment on the amendment proposed by Hon Bruce Donaldson and support that which was put forward by Hon Tom Helm. I am amazed that this debate is continuing. I would think the last thing the Government wanted to talk about this week was anything to do with occupational health and safety matters.

Over the past couple of weeks the Government has been in complete disarray over occupational health and safety matters in the workplace, whether in the farming sector or the hospitality and hotel industry. This amendment brings

up the issue of codes of practice replacing regulations and reliance on the duty of care. This debate should be contrasted with the debacle of this Government's mismanagement in the hospitality industry.

The Australian Hotels Association members would love to have sat in the Chamber yesterday, because they have been running the same arguments for some time.

Hon M.J. Criddle: This will improve safety on farms, and that is why the Government supports it.

Hon Simon O'Brien: That is why your colleagues did not want talk about this today.

Hon KEN TRAVERS: I am happy to talk about it today. I am surprised that government members want to.

Hon N.F. Moore: You tried to stop it twice.

Hon KEN TRAVERS: The Minister for Labour Relations tells us that the amendments to the occupational health and safety regulations that were passed last year with government support will improve occupational health and safety in the workplace.

Hon M.J. Criddle: We should continue to do that.

Hon KEN TRAVERS: That is not what the Government is doing.

Hon N.F. Moore: What you are you talking about?

Hon KEN TRAVERS: The Government is seeking to wind back the clock with occupational health and safety regulations.

Hon Simon O'Brien interjected.

Hon KEN TRAVERS: I understand the difference between a code of practice and regulations. The Australian Hotels Association would love to have a code of practice rather than regulations on smoking in its workplace. This motion is not about improving safety, it is about leaving matters open and going back to the old ways. This will undermine the regulations and their ability to protect employees through the reliance on a duty of care provision.

Hon Kim Chance: The member is also trying to support the Minister for Labour Relations.

Hon Simon O'Brien: That is a novel development.

Hon Ljiljanna Ravlich: It is a challenge.

Hon KEN TRAVERS: It does not occur often. I was listening to a radio interview recently. A bloke telephoned and said that he had no respect for the Minister for Labour Relations because of some of the things he had done in the past, but he had changed his opinion in recent times because of his stance on occupational health and safety matters within the hospitality industry. I look forward to examining the Government's proposals for change within that industry, as I do with proposals for the farm industry before we sign off on this.

Let us not forget where this motion started. The motion did not contain the fine amendment put forward by Hon Tom Helm to maintain the regulations and to bring in a code of practice to strengthen them. The original motion moved in this place was that the Occupational Safety and Health Regulations 1996 be reviewed with the intention of developing and implementing a code of practice. That suggests throwing out the baby with the bathwater.

Hon M.J. Criddle: It does not.

Hon Ljiljanna Ravlich: It does so.

Hon KEN TRAVERS: That is where the debate was heading prior to Hon Tom Helm's amendment, which made it clear that members on this side of the House would not support a motion that would undermine the regulations. We were happy for a code of practice to be brought in to add to and strengthen the regulations, but not to undermine them.

Hon Tom Helm put together a good argument in support of maintaining the regulations and was ably supported by Hon Kim Chance and Hon Ljiljanna Ravlich. Once members opposite realised debate was not going their way, they proposed an amendment that would wind back the clock in respect of occupational health and safety.

Hon B.K. Donaldson: No.

Hon Ljiljanna Ravlich: It gives them a cop out clause, and you know it.

Hon KEN TRAVERS: We understand how this industry works very well. If we ever stray from the facts Hon Kim

Chance will lecture us on that. I spent a lot of my time listening to words of wisdom from Hon Kim Chance about this.

If we want to talk about people who do not understand industries because they have never worked in them, a good example is the Minister for Transport. His dealings with the transport industry in the State have been a disaster. Hon Greg Smith should not go down that path; he should stick to the farming industry debate.

Several members interjected.

The PRESIDENT: Order! There are so many interjections that members are interjecting on each other.

Hon KEN TRAVERS: Mr President, you and I would tolerate quality interjections far more easily than the interjections so far this morning.

I want to talk about occupational health and safety and how this Government handles it. We need to contrast this Government's management of occupational health and safety issues in farming with other industries across the State. I do not believe the Government has any understanding of the need for occupational health and safety regulations. I encourage members to look at the debates in this place when the former Labor Government introduced some major reforms in this area. Members opposite have never been strong supporters of occupational safety and health regulations. I have no doubt that this amendment seeks to put the farming industry in the same position as the hospitality industry, where no-one has a clue about what is going on, and no-one can understand what are the expectations of the community as expressed through this Parliament. I remember some questions asked in this place of the Minister for Tourism about the effects in country hotels, and they were just dismissed as being irrelevant. That is the problem when we go down the path of trying to amend the occupational safety and health regulations.

Hon Simon O'Brien: Do you support the idea that in certain circumstances, people should be allowed to smoke in the front bar of a hotel?

Hon KEN TRAVERS: I support the duty of care provisions. We need to put in place regulations and rules that make very clear to people what we are seeking to achieve.

Hon N.F. Moore: Tell us what you think. Do you want to ban smoking in public bars? Yes or no?

Hon KEN TRAVERS: I have watched the Minister answer questions in this place. I will answer questions with the same finesse and with the same -

The PRESIDENT: Order! Members, we are meant to be discussing a serious amendment to an amendment; so can we concentrate on the issue before the House?

Hon KEN TRAVERS: I will do something that is very different from what the Leader of the House does in this place. I will start by putting in place a framework to my answer, and I will then answer the question. We have never received an answer from the Minister about whether he supports a GST, other than that he supported the discredited Fightback No 1 from the dim, dark past. That is his policy.

The PRESIDENT: Order! Hon Ken Travers will address the motion before the House.

Hon KEN TRAVERS: Mr President, the distraction from the Leader of the House was too tempting.

The PRESIDENT: Order! Hon Ken Travers encouraged the distraction, and now he is wasting his own time. Please speak to the motion before the House.

Hon KEN TRAVERS: In respect of occupational safety and health matters, what I support, whether it be in the farming industry, the hospitality industry, or wherever, is the need to be very clear in our directions to the employers and employees who work in that industry, the requirements we expect them to meet. I think everyone in this place would agree that that is the No 1 rule. If we have some regulations, some codes of practice, and some regulations that do not apply because of a code of practice, we will get into a confusing situation. That is where we are heading in the hospitality industry at this time. With regard to whether I support smoking in public bars, I believe that in the long term, cigarette smoke must be eliminated from public bars; and that may be done through the use of technology, or by banning smoking.

Several members interjected.

The PRESIDENT: Order! Let Hon Ken Travers address the Chair.

Hon KEN TRAVERS: Thank you, Mr President. That is the situation in which we find ourselves. We need to set out clearly in the occupational safety and health regulations what are our expectations. The long term goal is that cigarette smoke does not affect employees in front bars. How we achieve that is the question.

Hon Simon O'Brien: You have just castigated our Minister for what you perceive to be a lack of decisiveness on that issue; and you are now saying you do not have a policy on that matter.

Hon KEN TRAVERS: It is the role of the Government to get it right, and it is the role of the Opposition to make sure the Government gets it right and to highlight when it gets it wrong. In this case, the Government got it wrong, because it came out with a set of regulations 12 months ago that were not very clear anyway, but went in the direction of saying that by August of this year, smoking would not be permitted in the front bars of hotels.

Hon B.K. Donaldson: What does this have to do with farming?

Hon KEN TRAVERS: This has a lot to do with farming, because this motion will do to the farming industry what members opposite have done to the hospitality industry; that is, create uncertainty and confusion among the employers and employees in that industry. There is a close connection between these two issues. It probably stems from a lack of understanding and commitment to the occupational safety and health regulations as a process for achieving safety in the workplace. I do not doubt for one moment the sincerity of members opposite in being committed to improving safety in the workplace. However, I do doubt whether they have a sincere commitment to the use of the Occupational Safety and Health Act and regulations as the means of achieving that end.

Hon B.K. Donaldson: A number of industries already have a code of practice, as I pointed out yesterday, and that is working very effectively.

Hon Ljiljanna Ravlich: A code of practice is not enforceable by law.

Hon KEN TRAVERS: A code of practice still needs to be backed up by regulations. That is what Hon Tom Helm's amendment seeks to do, and I see no need to amend it further. I believe that the only reason members opposite would want to amend it further is to try to unwind the link between a code of practice and regulations, which we on this side have made very clear we do not oppose. The amendment moved by Hon Tom Helm states that -

the primary industry sector be encouraged to develop an industry code of practice for approval by the Minister for Labour Relations under section 57 of the Occupational Safety and Health Act 1984 to enhance and support compliance with the duty of care provisions of that Act and the Occupational Safety and Health Regulations 1996.

What is wrong with that? The only reason we would want to amend that is if we wanted to unwind the regulations that are already in the Occupational Safety and Health Act. It is not about advancing occupational safety and health in the workplace. It is about unwinding it. I do not know whether that is the intention, but that will be the effect of it.

Hon M.J. Criddle: Is it misleading if we remove those things that are not relevant?

Hon Ljiljanna Ravlich: Your people would say nothing is relevant, and you would not have any regulations. We cannot trust you.

Hon KEN TRAVERS: What are the regulations members opposite want to abolish? I would like members opposite to give us an outline of the regulations that they think are harsh and unfair and should be removed from the Occupational Safety and Health Regulations 1996. I am not an unreasonable person. There may be the odd bit that should be changed, but as a principled position -

Hon Greg Smith: Sit down and I will tell you.

Hon KEN TRAVERS: I look forward to hearing Hon Greg Smith's contribution to this debate. I look forward to hearing how he feels that the regulation changes, which have yet to be completed, will affect the hospitality industry and whether he feels that certainty will be created. I look forward to hearing whether the publican in the front bar at Mt Magnet will be able to understand his requirements under the Occupational Safety and Health Act. Does he think that a code of practice should be introduced? Does he feel that the answer, as proposed by the amendment, is to have as a third option a code of practice as to how publicans should operate in the hospitality industry?

Hon N.F. Moore: What do you think?

Hon KEN TRAVERS: I want to see the Government's proposal.

Hon N.F. Moore: You are asking a rhetorical question.

Hon KEN TRAVERS: If the Minister gives us the resources of government, we will get it right for him.

Hon N.F. Moore: You had them and you messed them up.

Hon KEN TRAVERS: If the Government wants to swap sides with us and give us the resources of government, we will do it. The Minister has massive resources of government to get it right. We have limited resources to monitor the Government and make it honest. The Opposition does not have the resources, as the Minister well knows. He has spent a lot of time on this side of the House.

Hon N.D. Griffiths: He will spend a lot more time here.

Hon KEN TRAVERS: Yes.

Hon N.F. Moore: I would not bank on that.

The PRESIDENT: Order, members!

Hon KEN TRAVERS: The Opposition does not have the resources to develop such things as codes of practice, be they for the farming industry or any other. However, the Opposition has the opportunity to look at the Government's proposals and ask whether they are right or wrong. We do it very well. We talk to people in workplaces and in industries in places like Carnarvon, where we were as a Caucus not so long ago, and ask what are the implications for this or that regulation or proposal. People very quickly point out to us the failings of the Government. We are able to bring those problems back into this place to address them and try to get some changes. The onus is not upon us to come forward with proposals; it is up to the Government to put forward proposals, be that in the farm industry or any other.

Whatever we do with occupational health and safety we must ensure that we are giving certainty and clarity to different industries. We must have an underlying commitment to this approach in the first place. I come back to the point I was making earlier before we were a little distracted. I was talking about whether we should have a code of practice in the hospitality industry. If we are to have a code of practice and to remove regulations in the farm industry, why not do it in the hospitality industry?

Hon B.K. Donaldson: There is no reason why we should not.

Hon KEN TRAVERS: That is an interesting line.

Hon B.K. Donaldson: Any industry could have a code of practice.

Hon KEN TRAVERS: Supported by regulations?

Hon B.K. Donaldson: The review I have suggested is only to remove those regulations made redundant by a code of practice. All the other occupational health and safety regulations would still remain and so would the Act - nothing would change.

Hon KEN TRAVERS: I am glad to hear that is the spirit in which Hon Bruce Donaldson's amendment is put forward. Having listened to the debate in this place, that is not my impression from the speeches from the other side. I go back to the original motion. It was only after the amendments put forward by Hon Tom Helm that we saw any movement towards accepting that a code of practice needed to be underlined by regulations under the Occupational Safety and Health Act. We saw yesterday a further amendment. The wording of that amendment suggests that we are looking at wholesale repeal of regulations which will be replaced by the code of practice.

Hon B.K. Donaldson: It is dealing only with regulations such as those pointed out by Hon Kim Chance concerning water troughs and tanks being covered overnight. He was agreeing that some of those regulations need to be repealed because they have no real value and do nothing for safety in the context of the Occupational Safety and Health Act. I think Hon Kim Chance agreed with what I was trying to say yesterday.

Hon M.J. Criddle: Fifty regulations have already been changed to assist with agriculture and primary industry since they were put in place in October 1996.

Hon KEN TRAVERS: I have no problems with our being flexible in our approach. The point I made earlier is that when we talk to people they identify issues for us. If there is a problem with the way a regulation is written and it could be written in a better and clearer way, I would be a supporter of changes. I am not putting my head in the sand and wanting no change. I accept flexibility, but we must get back to the basic principle of the motion. It may be that further amendments need to be made. Any motion that we pass must make very clear to the community that although we accept a code of practice as a good method of ensuring safety, it must be fundamentally underpinned by occupational health and safety regulations. They should only ever be changed for the better and not be watered down.

Hon B.K. Donaldson: That was not the intention; the intention was merely to remove the anomalies in the system.

Hon KEN TRAVERS: I am glad to hear that. I contrast that position with that for the hospitality industry. It is amazing that we have two debates; one in this place about farm regulations and one in the general community about

occupational health and safety in the hospitality industry. Some regulations were made which were hard to understand by those working in the industry. If we are able to clarify those regulations to provide certainty to the employers and employees about our expectations, it would be good to make some changes. However, we do not know what changes are proposed for the hospitality industry. We have only heard about a Cabinet decision. It would suggest from all accounts that the Government will not clarify the position, but I hope I am wrong in that respect.

Hon N.F. Moore: You are.

Hon KEN TRAVERS: I hope I am, but we will wait and see. "Wait and see how I vote" was the beautiful line used by the Minister in the other place.

Hon N.F. Moore: We are waiting to see your position.

Hon KEN TRAVERS: I have made it very clear. If the Leader of the House had been listening he would know that I made it very clear that we must make sure that smoke is removed from the workplace in the hospitality industry. It is an occupational health and safety issue. Whether we do that by banning people smoking or improving technology to extract smoke, so that if a customer exhales smoke it does not affect an employee in the workplace, I support it.

Hon N.F. Moore: Do you think it is achievable?

Hon KEN TRAVERS: Yes. Does the Leader of the House?

Hon N.F. Moore: I am told by some people it is not.

Hon KEN TRAVERS: The Minister for Labour Relations thinks it is achievable. Is he wrong?

Hon N.F. Moore: I do not know who is right or wrong. It may well be decided by a court.

Hon KEN TRAVERS: In principle, was the Minister wrong? I have answered the Leader of the House's question; he should answer mine.

The PRESIDENT: Order!

Hon N.F. Moore: I am asking you whether you believe that we can have an extraction system that will make it totally safe for a person to be in such a place. You are saying that it is. That is interesting.

Hon KEN TRAVERS: Answer my question, Minister.

Hon N.F. Moore: There are those on your side who will argue it is not.

The PRESIDENT: We will have questions without notice later this afternoon.

Hon KEN TRAVERS: I thought I would have a better chance of getting an answer from the Minister now than in question time. It is a hard process. I sympathise with my dentist because I now have an understanding of what goes through his mind every time he works on my teeth. He follows the Occupational Safety and Health regulations to a T.

Hon N.D. Griffiths: You hope.

Hon KEN TRAVERS: I make sure he does.

Debate adjourned, pursuant to standing orders.

ORDERS OF THE DAY Nos 3, 4, 5, 6, 8 AND 9

Discharged

HON N.D. GRIFFITHS (East Metropolitan) [12.02 pm]: I move -

That Orders of the Day Nos 3, 4, 5, 6, 8 and 9 be discharged from the Notice Paper.

Each of these orders of the day are disallowance motions under my name as a result of a decision of the Joint Standing Committee on Delegated Legislation. Order of the Day No 3 relates to part 4 of the Fuel Suppliers Licensing and Diesel Subsidies Regulations 1998. The committee's concerns have been met by the Minister advising the committee. He has approved the drafting of amendments to remove the offending provision, and the Revenue Laws Amendment (Assessment) Bill 1998, which is before this House, will meet many of the committee's concerns. Order of the Day No 4 is the Town of Kwinana - Health Amendment Local Laws 1997. The notice of disallowance was given because of the local authority's failure to provide an explanatory memorandum within the necessary period;

namely, before the last date for disallowance. That explanatory memorandum has been received and the committee has no objection to the regulations. Order of the Day No 5 is the Town of Kwinana - Health (Keeping of Horses and Equine Premises) Local Laws 1997. It is in the same category. Order of the Day No 6 is the Crimes (Confiscation of Profits) (General) Amendment Regulations 1998. The committee was concerned whether they were within power. Evidence has been given to the committee by an officer from the Director of Public Prosecution's office clarifying the basis of the legislation. The committee accepts that the regulation is within power. Order of the Day No 8 is the Town of Vincent - Amendment to Parking Facilities Local Law. It is in the same category as the Town of Kwinana disallowance motion in that an explanatory memorandum was not received. It has now been received and the committee has no objection to the regulations. Order of the Day No 9 is the Shire of Dardanup - Determination of Review of Local Law-Extractive Industry Local Law. It is also in the same category as the Town of Vincent and the Town of Kwinana regulations.

Question put and passed.

COMMITTEE REPORTS - CONSIDERATION

Committee

The President (Hon George Cash) in the Chair.

Standing Orders Committee - Second Report on Proposed Amendments to Standing Orders incorporating Sessional Orders adopted 10 April 1997

Hon N.F. MOORE: I move -

That the report be noted.

This report is a result of the Standing Orders Committee considering the Sessional Orders that were adopted by the House in 1997. Today is a good opportunity to begin an assessment of those sessional orders to see whether they are doing what we hoped and meeting the needs of members and whether they should become part of our standing orders. We have not had such an opportunity since 1997, when significant changes were made to the operation of the Legislative Council. As a result of those changes, the House is a different place from what it was prior to the adoption of the sessional orders. It is appropriate that we determine whether we want to make them permanent; that is, make them standing orders rather than sessional orders. The committee has agreed that the sessional orders should be retained. Members must decide whether to make them standing orders, with a couple of exceptions.

I am interested to know what members think because, as I said earlier, we have been operating under the sessional orders for a couple of years. This is an opportunity for members to indicate whether the sitting hours are better or whether the process for Bills to proceed through the House is better. For example, the problem encountered by Hon Helen Hodgson is one which she believes must be sorted out. These issues need to be drawn to the attention of members before we proceed to the next step of formalising these changes.

It is my intention, prior to prorogation, to bring to the attention of the Legislative Council certain motions based upon deliberations and consensus that will emerge from this debate. If members agree with the proposal of the Standing Orders Committee or agree to some amendments, we can deal with those prior to prorogation. Therefore, upon resumption after prorogation, the House can operate under the appropriate new standing orders. If we do not deal with them between now and prorogation, we will resume under the old standing orders. Quite frankly, I would probably forget what time we commence on the Tuesday, as I cannot recall what time we used to start on Tuesdays in the old days. Having been here longer than most, I am aware that the starting times for the House have changed on many occasions. The time at which the House commences after prorogation must be firmly fixed in my mind, to ensure that I do not miss speeches like the last one, which was so illuminating. We must consider the sessional orders and the proposed standing orders on sittings and adjournments of the House.

We have adopted the view that the House should begin at 3.30 pm on Tuesdays, which fits in neatly with the way most parties operate and enables the government parties to do necessary business before the House commences its work. We have determined to start at 4.00 pm on Wednesdays. Again, in the context of the committee processes, that has been a good decision. Nobody has told me otherwise. As a member who does not participate in committee work, I do not know whether it is working well for committees, so I am interested in hearing members' comments in that regard.

The totally new approach was for the House to start at 11.00 am on Thursdays. In all my time here, we have never sat in the morning if we could possibly help it. It was out of order for the ladies and gentlemen of the Legislative Council to sit in the morning.

Hon Kim Chance: It was uncivilised.

Hon N.F. MOORE: I find it to be a good move. Doing a couple of hours work in the morning on Thursdays has worked well. I believe we should retain these satisfactory starting times.

The adjournment time of 10.00 pm on Tuesday and Wednesday has been a marked improvement. It is probably a reflection of my increasing age more than anything else, but I find it preferable to leave here at 10.00 pm rather than 11.00 pm. I am glad we have avoided late night sittings for some time. Some members have adopted the view that we can sit all night until the heart's content, but not many people read *Hansard*. It is ultimately acknowledged that we get more work done by leaving at 10.00 pm, which is an encouragement for members to make decisions on Bills and pass them in the required time.

I am not sure about the five o'clock finish on Thursday. It is helpful for some country members to catch aeroplanes to return to their electorates on Thursday evening. However, I am worried about Thursdays. We have one hour of motions from 11 o'clock to 12 o'clock, followed by one hour of debate on committee reports. I originally thought when we introduced the sessional order that the second hour would not be consumed entirely in considering committee reports. I did not think members would have so much to say about committee reports.

Hon J.A. Cowdell: You can shorten it today by not allowing more time on this report.

Hon N.F. MOORE: Does the member not want to hear my views?

Hon J.A. Cowdell: Of course I do. However, here is the opportunity to provide extra time.

Hon N.F. MOORE: It is appropriate that the Leader of the House, who is responsible for the operation of the House, to the extent that numbers permit, should express a view on the way the House is running. I propose to do that. I am a little surprised - I suppose I should not be - that the second hour on Thursday is filled with speeches on committee reports. It is not a bad thing; I just did not anticipate it. Therefore, Thursday afternoon presents little time for other business. We could contemplate finishing at 6.00 pm.

Hon B.K. Donaldson: What about a 10.00 am start?

Hon N.F. MOORE: That is something Hon Bruce Donaldson might like to promote.

Hon Derrick Tomlinson: Do not encourage him; he will want no afternoon tea next!

Hon N.F. MOORE: Members need to advise what they think about those proposals. Generally speaking, the new times seem to improve progress of the business of the House. Regarding Thursday's business, I support the idea of putting into standing orders the sessional order which relates to the precedence of committee reports on Thursday morning.

Next is business management. The only variation to the original sessional orders recommended by the Standing Orders Committee is to eliminate the Bills Classifications Committee and replace it with a business management committee. I support that recommendation of the Standing Orders Committee to abolish the Bills Classification Committee. The Bills Classification Committee was established to classify Bills as A, B or C to assist their progress in the Chamber. That aspect of the committee's work has not been a great success. That does not reflect upon anybody, but decisions are made about how long a Bill will be debated when debate ensues. It is hard to determine in advance whether a Bill will be the subject of lengthy debate, will be amended or will be passed in two or three seconds. That is often not known until the Bill is before us.

I have no problem with eliminating that classification process. On a couple of occasions the committee neglected to classify Bills which arrived from the other House and were dealt with quickly here. Technically, such Bills were out of order by not being classified. However, that made no difference in the context of debate in the Chamber. I have no problem with abolishing the classification requirement for legislation.

Nevertheless, over the last year the Bills Classification Committee has assumed a different role. The classification activity took three or four seconds at a meeting - everybody said, "Make that Bill a B as I might want to debate it down the track, I do not know yet" - and then we would speak about the business of the House. The Leader of the Government advises members of the committee what the Government has planned, and hears from members from the non-government parties what business the Government will do. That is how it tends to work. The meetings are attended by Hon Bruce Donaldson, usually the Leader of the Opposition, members of the Australian Democrats and the Greens (WA) and me. It has worked well in an informal way. It provides an opportunity for the Leader of the House to explain what the Government has in mind with matters on the Notice Paper, and he can hear the views of other parties about the activity of the House.

I turn to the proposition put by the Standing Orders Committee that we create a committee, which I suspect will be called the business management committee. I have some difficulty with what is contemplated in proposed standing

order No 125A regarding the proposed business management committee. This attempts to formalise what works well informally. When one tries to formalise matters, flexibility and the capacity to get results can be reduced as one must abide by rules and parameters.

The proposed standing order suggests that the committee comprise the Leader of the House, the Leader of the Opposition and three other members appointed by the House. In the preamble to the recommended changes, the Standing Orders Committee talks about keeping the committee to a manageable size. It reads -

Apart from the 2 Leaders *ex officio*, the House appoints 3 other members desirably as representative of other political groupings or independents.

The contents of the preamble are all very well and may constitute appropriate action. However, the words "and not more than 3 other members appointed by the House" introduce an element of potential inflexibility. In the light of the numbers in the House from time to time it would be possible for an Opposition to have four of the five members on the committee. I do not know whether that would happen. However, in a sometimes highly politically charged environment it would not be out of the question for the Opposition, irrespective of which party is the Opposition at the time, to elect three members from its own ranks as well as have its leader on the business management committee. The Government would have one member and the Opposition would have four. That is not what the Standing Orders Committee intends. However, it is a potential outcome of the process envisaged in these new standing orders. That would be of concern to me.

The process in place now where each of the political parties is invited to attend meetings on an ad hoc basis allows flexibility. For example, if the Leader of the Opposition cannot attend he sends a member. If Hon Jim Scott cannot attend he sends someone else or leaves it at that.

Paragraph (2) reads -

The Committee shall meet at a time and place fixed by the Leader of the House:

That is a requirement it will meet even if it does not need to. Occasions will arise when it does not need to meet. It also contains other rules about how it should meet; for example -

- (a) where the House is adjourned over 3 or more sitting days, in the week immediately preceding the date on which the House is to resume;

Again there is an obligation to meet at a particular time.

- (b) where the House is sitting, on each Thursday following the adjournment of the House;

That is a requirement to meet on Thursday nights after the House has risen to talk about what will happen the following week. I have a problem with that for two reasons. Thursday night is the only night on which I do not have formal business to attend to. As we said last night, members of Parliament often sit here three days and two nights a week and therefore do not spend much time with their families. The only time I can guarantee being home is on a Thursday night. I leave that time vacant in case the House sits. I do not want to sit around here on Thursday nights talking about what the House will do the following week as a matter of requirement.

Another more important reason is that often I am not aware until Tuesday after the various meetings of our parties or after Monday when Cabinet meets what the Government might wish to do that week. On a Thursday night I would find it very difficult to predict, or hazard a guess on the odd occasion, what the House might do the following week from the Government's point of view. I suspect the same might apply to the Opposition parties. Having a time designated on Thursdays would not be productive, certainly for the Leader of the Government. Subparagraph (c) reads -

at any other time, as determined by the Leader of the House or when so requested in writing by a majority of the Committee.

A majority of members of the committee, being opposition members, could decide in writing a meeting will be held whenever they determine. The Leader of the Government must then attend the meeting. I do not see that as appropriate.

I thought the idea of this committee was to help us manage the House better. The comments of the Standing Orders Committee referred to maintaining the rights conferred by Standing Order No 129 on the Leader of the House; that is, his capacity to continue to manage the business of the House. To implement a standing order that requires a meeting to be called - possibly on the basis of three opposition members requiring that - will impose on Standing Order No 129.

The report suggests that the functions of the committee are to "recommend" to the Leader of the House. That is fine. The word "recommend" is in line with Standing Order No 129. If we formalise this I am concerned that members of that committee will expect that what they determine will happen and that the committee will change from being an advisory body to one that manages the business of the House. I do not believe this place could be run by a committee. Many things cannot be run by committees and this is one of them. If members asked all my predecessors to give a view they would come to the same conclusion as I have; that is, it would be impossible for this House to function if ultimately the recommendations of a management committee had to be implemented.

I am jumping ahead because this recommendation requires that the committee be advisory. However, I have been around long enough to know that recommendations of advisory committees have a habit of being "owned" by the committee. If the committee is not getting its recommendations implemented regularly it seeks to change that and decides that henceforth the recommendations and decisions of the committee will be binding.

I suspect the matter also raises what could be a rather unusual constraint on Oppositions. I hope the Opposition might take notice of this. If a management committee works out what will happen in the House from time to time, it would be incumbent on Oppositions to inform the Leader of the House and the committee of their intentions, so that the management of the House can take into account the Opposition's intentions from day to day. For example, under this proposal, I would have been told yesterday that the Opposition would be moving to adjourn Motion No 1 so that I could plan what would happen after that. I was not told; I did not know.

Hon J.A. Cowdell: That would be an improvement.

Hon N.F. MOORE: The Opposition should take into account that it would be under some obligation to divulge some of the stunts it intends to carry out from time to time. I do not think too many Oppositions will go along with that proposition. I would not if I were in opposition.

The House is a dynamic place in the broadest sense of the word where things change from day to day and from circumstance to circumstance. It is almost impossible to organise how the House will operate at any time or try to work out what it will do more than a week ahead. On some occasions the Opposition will want to catch the Government unawares to achieve a political point. That is part of the process of the House. Some members do not speak when we expect them to contribute, causing the debate to collapse when we thought it would take three days. Even more likely to occur is members speaking for twice as long as we expect and debate unexpectedly carrying on to the next day.

Hon Bob Thomas: Not on this side. We have discipline.

Hon Ken Travers: We have relevant points to make.

Hon N.F. MOORE: One of the interesting things about the modern day Legislative Council is that members always need 40 minutes to make their points. Some think they need more than 40 minutes; in some cases members on this side also think they do. Last night was a case in point.

Hon Kim Chance: It was much appreciated.

Hon N.F. MOORE: Perhaps the Standing Orders Committee should give some thought to time limits on speeches. The other day I examined the debates in this House on the Mining Act 1978. I had a quick look through the speeches and the average length was 15 minutes - on a highly contentious Bill. The second reading was dealt with in this House in one night.

Hon Kim Chance: We also dealt with the abortion Bill on both occasions in one day in this House.

Hon N.F. MOORE: We did. That is an exception to what is becoming the rule about how long members speak. When there was no time limit, members tended to get up and say what they had to say and then sit down. Whether it took 11 minutes or 3 hours and 27 minutes, they took the time necessary. There was no clock on the wall indicating that time was running out or that there were five minutes left, so the member could repeat everything. It might be worth the Standing Orders Committee's giving some thought to reverting to not having time limits.

The PRESIDENT: The matter has been raised in the Standing Orders Committee and is on the list of outstanding items. The committee wants to take up the issue.

Hon N.F. MOORE: I hope it will be implemented initially as a sessional order, but I would like to see it happen. Of course, if we do not have time limits, some members will speak forever.

Hon J.A. Cowdell: The Leader of the Opposition is already excited by the prospect.

Hon N.F. MOORE: It makes no difference to him because he can speak for as long as he wishes. One of the ironies

of the standing orders is that on a Bill such as the abortion Bill, which was a private member's Bill, the Leader of the Opposition, the Leader of the National Party and the person in charge of the Bill have unlimited time in which to speak, but the Leader of the Government or a Minister has limited time. The standing order designates individuals.

With all due respect to my National Party colleagues, that was done to placate the National Party when the standing orders were being changed and the coalition was in opposition. It was always assumed that the person in charge of the Bill would be the Minister; in fact, with a private member's Bill that is not the case. Therefore, the Leader of the Opposition talked at great length on the abortion Bill.

Hon N.D. Griffiths: With great eloquence.

Hon N.F. MOORE: As always. On that occasion he was provided with an advantage not available to other members. That is another matter to which the Standing Orders Committee should give some consideration.

I refer members again to the business management committee. If ever decisions of that committee were binding, the House would find itself in a difficult situation. I believe emphatically - if I were sitting on the other side knowing what I know now I would argue the same case - that the Leader of the Government, whoever it might be, must have the right to manage the business of the House, otherwise chaos would prevail. I look forward to members' comments on this proposition and hope that we do not get to a formalised situation with a committee's trying to manage the business of the House, because I do not believe that is possible.

I was not happy about the sessional order relating to urgency motions to begin with, because urgency motions should be able to be moved whenever a matter of urgency arises. The original standing orders provide for members to raise matters of an urgent nature, but to say that that can happen only on Tuesdays is a contradiction in terms. A cyclone could go through Perth on a Thursday and wipe out half the city, but we would be required to defer debate on the issue until the following Tuesday. That is a nonsense.

The original purpose of urgency motions has been changed and they have become a vehicle for private members' grievances or a debate about an issue that the Opposition or any other member wants to raise. I am happy for this sessional order to be included in the standing orders now so that we formalise what we have been doing for the past year; that is, what I believe are no longer urgency motions but motions making a political point on Tuesdays, should be retained. However, we should reassess whether the issues raised are matters of urgency and whether we should have another vehicle -

Hon Kim Chance: There are MPIs.

Hon N.F. MOORE: I hate to follow the lead of the other place. We should have some vehicle for a genuine urgency motion whenever a matter of urgency arises.

Hon Kim Chance: We have the suspension mechanism.

Hon N.F. MOORE: I understand that, but we must have a procedure other than four members standing their place to determine whether a matter is urgent. It should be determined by an independent person such as the President. I am sure the President would be delighted at that prospect. If we had an MPI process, I suspect that members would not use the urgency motion unless they wanted to debate a genuinely urgent issue, and therefore the pressure on the President to decide urgency would be much less.

Reference is made to the time reserved for committee meetings. The proposal is that committees meet until 3.30 pm on Wednesdays. I understand that is working well. If committees are not meeting until 3.30 pm on Wednesdays and they do not need that much time, perhaps the House can sit an hour earlier on Wednesdays instead of on Thursdays. That is another option, and I am interested in hearing members' views.

Hon Helen Hodgson yesterday raised the issue of the stages of a Bill referred to standing committees. She was concerned that because a Bill has been referred to a committee, when it is returned to the House this sessional order takes over and, unless a member intends to move an amendment or to defeat a clause, it cannot be debated. If the member concerned were not on the committee, he or she would be somewhat disadvantaged. The intention is to avoid the situation of Bills that have been sent to committees and investigated being similarly investigated in depth in the House. I understand that some attempts have been made to sort out the problem the member has raised. Perhaps we can deal with that when we consider the sessional orders.

Generally speaking, if we put to one side those concerns, this process is good. It avoids duplication and repetitive argument about the same issue and members of committees arguing the case again after they have had a go in the committee. It allows the House to use the committee system in an appropriate way, and committees to reach decisions and have those decisions stand unless a member wants to defeat them completely. That process is working well.

The Standing Orders Committee also made a recommendation in respect of questions being lodged with the Clerk. I can understand the problem facing the Clerk's office given the vast number of questions that arrive on the doorstep. I will support any recommendation that would give the House management the chance to deal with them more effectively. Again, I am interested in what members think about that.

In summing up, the Standing Orders Committee has made recommendations, most of which I agree with. Following this debate, I will bring back to the House recommendations, based on the views of members, to change the sessional and standing orders. I will do that before the House prorogues so that we can return after prorogation with the sessional orders having been written into the standing orders.

Before moving these motions, I prefer that the House make some general comments on the way in which these sessional orders operate before we decide which ones to bring back to the House for final determination.

I thank the House for its consideration of these matters and look forward to members making their points of view known

Hon J.A. COWDELL: I move -

That all words after the word "That" be deleted and the following words be substituted -
the recommendations made by the Standing Orders Committee be agreed to.

It is time to get on with amending the standing orders. The House does not need a further period of reflection. In August last year we had the presentation of the report of the Select Committee to Review the Legislative Council Standing Committee System. The new sessional orders have been operational for some time. That report, which pertains to some of the issues proposed here, has been under consideration for nine months. We have had time to evaluate the operation of the sessional orders, both in the old House and in the new House, so to speak. We have also the considered opinion contained in the second report of the Standing Orders Committee.

We now have the opportunity to reflect in this debate. Looking at the time, no doubt it will continue at the same time, same place, next week so that members may express their opinions. However, there is no need to express an opinion on the concept of noting a report and revisiting each of the recommendations. We should proceed forthwith to implement and adopt these recommendations. It is open to either the Leader of the House or other members to move for the deletion of one recommendation or to improve or alter recommendations such as the section referring to stages at which a Bill may be referred to a standing committee. Those concerns can be easily addressed while getting on with the task concerned.

We should proceed now with the detailed consideration of the recommendations of the Standing Orders Committee. I hope plenty more work remains for the Standing Orders Committee and that it will bring forward recommendations dealing with a range of issues including question time; how we recognise our independent parliamentary agencies; and a whole range of other matters. Today's Notice Paper contains another report for consideration on the right of reply. I hardly think we need to delay any longer on these reports.

The Leader of the House has gone through matters comprehensively and commented on the worthiness of these recommendations. On behalf of the Australian Labor Party, I commend the recommendations. The first one, in respect of sitting times - 3.30 pm, 4.00 pm and 11.00 am - although not necessarily the best of all possible worlds, is an improvement on the current standing orders, as are the adjournments at 10.00 pm and 5.00 pm. On that basis it ought to be supported.

The worth of the business on Thursdays is entirely apparent. In a complimentary manner, the Minister said that he did not expect us to use the full hour on Thursdays to deal with committee reports, but that we had done so. This is one of the great improvements. This committee regularly receives committee reports which members have gone to a lot of time, trouble and effort to produce. Those reports were never formally considered by the House. The Government did not respond to them in most cases. At least it is now recorded on the Notice Paper.

We have had the epic, and perhaps unplanned, situation of Hon Derrick Tomlinson - and a number of other members - getting so excited during consideration of committee reports that they were referred back with instructions to do things. We see the worth of enshrining this sessional order on consideration of committee reports into a standing order.

As to the business management committee, I agree with the Leader of the House that the old Bills Classification Committee was not an overwhelming success and that that experiment needed adaptation. It could not continue in its current form. Now we have the adaptation, a business management committee, which is a revamping and improvement of the Donaldson Bills Classification Committee.

Members will recall in the select committee report on committees delivered last August, the recommendation with respect to the Bills Classification Committee was to amend the sessional orders so as to vest the classification of Bills in the proposed business management committee. I am sure members will have refreshed their memories on this matter. The report goes through the virtues of the worthwhile things that could be done by a business management committee. The Standing Orders Committee obviously took that into account in making this recommendation.

The Minister raised a number of problems with respect to the business management committee. All of those concerns were answered by Standing Order No 125(a)(iv). Nothing in this order affects the operation of Standing Order Nos 127 and 128.

Hon N.F. Moore: It does not. It requires that we meet on Thursdays, following the adjournment.

Hon J.A. COWDELL: I will deal with those subsequent matters, but the bottom line is that it is an advisory committee. Although the Leader of the House went through that and said there would be many problems, and that if the decisions of the committee were binding in taking the business out of the hands of the Leader of the House, such an ordering of business run by a committee would not work, and so on - and I listened to those comments - the clear point about the amended standing order is that it is not binding and it clearly says it is not binding. Therefore, those reservations that would apply to a committee making recommendations that were binding, did not apply.

I beg to differ on this point, but the Leader of the House queries why we should formalise what works well informally. He suggested that this might derail things. I suggest that things are not working well informally. They may from time to time work well informally, but they do not consistently work well informally. If they did work well informally, we would not have this proposition before us. It is that they normally do not work well informally -

Hon N.F. Moore: That is not the unanimous view of the House.

Hon J.A. COWDELL: I am putting my view -

Hon N.F. Moore: You are saying that the House does not work well -

Hon J.A. COWDELL: It is my view that many of us would not see the need for this new standing order if things were working well informally.

Hon N.F. Moore: Perhaps you will pay me the courtesy of saying why it does not work to your satisfaction.

Hon J.A. COWDELL: I am about to -

Hon N.F. Moore: Don't you get enough time to speak? Maybe you should become the Leader of the Opposition and take all the time you want.

Hon J.A. COWDELL: The point is that the Leader of the House said in his comments that each political party wishing to attend informal meetings can do so; that it was run on an ad hoc basis, and so on. This does not tie up with the view of the world in other parts of the Chamber, when the Leader of the Opposition comes in and says that he has been waiting in the car park for an hour to see the Leader of the House to find out what is going on -

Hon N.F. Moore: If the Leader of the Opposition is so silly that he thinks the only way to find me is to wait for my car to arrive in the car park, perhaps you should take his job. The Leader of the Opposition could ring up. The telephone is a twentieth century invention!

Hon J.A. COWDELL: I understand that it was only following a dozen or so telephone calls that the Leader of the Opposition could find the Leader of the House in the car park.

Hon N.F. Moore: That is not true.

Hon J.A. COWDELL: That is but one example. It is more frequent than not, from the position of a mere backbencher, that I will ask the Leader of the Opposition what is going on and he will say at a meeting before coming into the Chamber that he has no idea; he is waiting by the phone for the Leader of the House to phone to tell him what is to happen.

Hon N.F. Moore: You should work on the basis that what you are told is not always accurate.

Hon J.A. COWDELL: When I ask the Greens or the Democrats what has the Leader of the House told them - half the time that is my first information about what is going on - occasionally when I have been informed of something else, the two versions do not tally.

Hon N.F. Moore: You should not reflect on your leader like that.

Hon J.A. COWDELL: I admit that on occasions, not only do humble opposition crossbench members not know what

is going on, but also government members, Ministers and the Leader of the House do not know what is going on. This process will help everyone - including the government back bench and the Leader of the House!

Hon N.F. Moore: At times I do not know what is going on, because I do not know what the Opposition will do from one moment to the next!

Hon J.A. COWDELL: The point also made by the Leader of the House was that this could be a two way street. We recognise that. If an attempt is formally made to say that we will deal with one matter on a Tuesday and other matters on a Wednesday, and so on, it involves the Opposition and other parties saying in advance that if that is the agreement they will abide by it, or if they want to signal in advance that they want to deal with something on a Tuesday or something on a Wednesday, it can be a two way street. There would be no need for this proposition if we were not all over the place when it comes to the Notice Paper each day.

Another commendation for the proposed standing order is that the Notice Paper includes a wonderful array of where we could be going on a particular day, but we are never quite sure where we will end up. That may not always be the case but at least we will make a better effort to order things. The comments made by the Leader of the House relate to the convenience of members of this Chamber. The informal arrangement has not worked for the convenience of members, because backbenchers and half the Ministry do not know what is going on at a particular time.

Hon N.F. Moore: That is not true.

Hon J.A. COWDELL: What about the people outside? No consideration has been given to the very legitimate concerns expressed by the Commission on Government that the punters outside - the taxpayers - should have some information and participate to some greater degree, even if it is only coming to listen to debates on issues that may interest them -

Several members interjected.

Hon J.A. COWDELL: I do not see why we cannot make an effort to better order the Notice Paper to give some notification to the general public that the Legislative Council will be dealing with certain Bills this week, others on Tuesday, and others on Wednesday and Thursday. However, no consideration has been given to the concept put forward by the Commission on Government that at the beginning of the week we publish in *The West Australian* what we generally expect the House to deal with.

The detailed suggestion by the Commission on Government was that the information could appear on the courts page of the newspaper, and so on. There is a very strong argument for the adoption of proposed new standing order 125A. Ultimately it is only advisory to the Leader of the House but it is a very clear indication of the disquiet of most members of the House as to the ordering -

Hon N.F. Moore: Not most members.

Hon J.A. COWDELL: Most members - if the Leader of the House asks most members, he will find that it constitutes a clear majority -

Hon N.F. Moore: You are wrong.

Hon J.A. COWDELL: - regardless of what they have said to the Leader of the House from time to time.

I commend the change to urgency motions recommended by the Standing Orders Committee. It is seen in some way as oppositionist concession because, although Hon Alannah MacTiernan has left us for another place and the fervour for this sort of clause is not quite as great, some members have become attached to the urgency motion each day. Nevertheless, we support the change which restricts it in this form - it may be a matter of public interest rather than an urgency motion as it has developed. We support this proposition, although at a later stage I hope the Standing Orders Committee will look at other ideas for discrete periods of private members' business.

Debate adjourned, pursuant to sessional orders.

Sitting suspended from 1.00 to 2.00 pm

REAL ESTATE AND BUSINESS AGENTS AMENDMENT BILL

Third Reading

Bill read a third time, on motion by Hon Max Evans (Minister for Finance), and returned to the Assembly with amendments.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

Third Reading

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [2.02 pm]: On behalf of the Attorney General, I move -

That the Bill be now read a third time.

HON PETER FOSS (East Metropolitan - Attorney General) [2.03 pm]: I thank members of the Standing Committee on Constitutional Affairs and Statutes Revision for the committee's contribution and its report on this matter. It adopted a format to report on the Bill in its entirety and commented on aspects regarding various clauses and paragraphs. I found this to be very helpful in dealing with the Bill. Admittedly, the committee commented on only a few clauses, and it could be difficult when dealing with complicated matters of linked clauses widely separated in a Bill. For this Bill, the committee process worked very well. I used the report, rather than the Bill, during committee debate. Obviously, it remains to be seen whether the process is appropriate with other kinds of Bills. On this Bill it worked very well indeed. It has led to a satisfactory result. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

PARLIAMENTARY SERVICES COMMITTEE

Membership

On motion by Hon N.F. Moore (Leader of the House), resolved -

That the following members be appointed to the Parliamentary Services Committee: Hon Nick Griffiths, Hon Tom Helm, Hon Barry House, Hon Bill Stretch and Hon Norm Kelly.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 10 June.

HON SIMON O'BRIEN (South Metropolitan) [2.05 pm]: I am reminded from time to time of a fond memory etched in the consciousness of members of this place who gained their majority during or prior to the early 1970s. Such members left school or university with the prospect that not only would they get a job, but it would be in an area of their choice. Indeed, they had a choice of jobs available to them within that area. Nonetheless, as it is true that in those days many people had difficulty finding suitable employment, it is true today that many people, despite circumstances, have no trouble finding employment. Therefore, that fond recollection is of course a generalisation. Like most generalisations, it generally bears the stamp of truth. In recent decades, the employment outlook in this country has not been as rosy as that experienced by those of us with that first-hand experience and fond memory.

Employment opportunities, we are led to believe, have improved in recent times, particularly in Western Australia. My attention was drawn to page 1188 of the Budget Statements, which states -

Western Australia accounted for 23.3% of the national increase in employment during 1997. It is anticipated that this growth rate will remain about the same during 1998-99.

My attention was recently drawn to a published statistic from April of this year showing that the youth unemployment figure in Western Australia was eight percentage points below the national average. I do not intend to suggest that the employment situation is anything like members on either side of this House wish it to be; we all wish to see as low an employment figure as possible, and find great appeal in a return to the halcyon days described in my earlier remarks. However, employment opportunities have been slowly improving since the darkest days of recent high unemployment figures. This gives us some hope for the future, to which I address my speech today. Given that the economic outlook continues to improve for this State, we could, with good management, again have school leavers and job seekers face options in work, and have sufficient jobs available for all people who wish to work.

Something else must be factored in when considering the good old days of so-called full employment. The world and the nature of employment have changed dramatically in the last 25 years. The difficulties confronting any Government facing the unemployment problem include the changing nature of technology, industry and employment itself. It was suggested to me recently that 85 per cent of technology that will be in use in 2001 is not in use today. That is a staggering claim. Nonetheless, a definite trend is the constant change in the technological tools available to work forces and economies.

The question that arises for our society is: How do we ensure job seekers are in a position to take advantage of new job opportunities? I am aware of several industries which recently had jobs available in certain skilled areas while job seekers were at large in the community; yet in many cases those industries were unable to fill their positions owing to the lack of skilled employees. In some cases they even considered seeking workers offshore. That situation still exists. If, on the one hand, because of expanding business opportunities in this State skilled jobs are available and, on the other hand, unemployed job seekers are available, the challenge confronting all of us, including those engaged in industry, is to match workers' skills to the requirements of industry.

Hon Ljiljanna Ravlich interjected.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order!

Hon SIMON O'BRIEN: I want to acknowledge and encourage some members of the community who are seeking to bridge these gaps so that industry, and thereby the community, can derive benefits and consequently help fulfil the aspirations of job seekers, including those who have never had a job. I hope I am presenting my comments in a non-partisan way because I am sure my sentiments are generally accepted by all in our community.

Hon Ken Travers: I assume you will congratulate the AMWU for its work.

Hon SIMON O'BRIEN: Yesterday, I had the pleasure of opening the Building Bridges Career Expo at the Warnbro recreation centre. The expo was conceived a couple of years ago by the Building Bridges group in the southern metropolitan region. It consists of a number of representatives from both public and private high schools and it is under the chairmanship of Mr Ron Innes of the Rockingham Campus of the South Metropolitan College of TAFE. Other parties involved with this group include the Coastal Area Consultative Committee, the Rockingham Campus of Murdoch University, and the Kwinana Industries Council, a key player in other activities concerned with matching jobs with job seekers even outside the Building Bridges project. I noted on that occasion that it is important we all support these events. It is a positive and outgoing statement of belief that we can find suitable employment for all of our job seekers if we put our minds to it. I congratulate the organisers of that project.

Hon Bob Thomas: Do you believe there are enough jobs in the community to provide a job for everyone who is unemployed? If you do you are off with the fairies.

Hon SIMON O'BRIEN: I put it to this House in a non-partisan way that one of the challenges confronting us, in an effort to improve employment figures as much as possible, is the need to match skilled job vacancies, including new job vacancies, with local people by equipping them with the skills for new jobs and by putting them in touch with the appropriate industry.

Hon Ljiljanna Ravlich: If you can't make up the difference you import the labour. Why don't you train people?

Hon SIMON O'BRIEN: The other day during lunch I was talking with colleagues and we mentioned in passing Vincent Van Gogh. I am sure everyone has heard of that tragic but talented figure. He suffered acutely from a medical condition called tinnitus which manifests as ringing in the ears. It drove him to distraction. Sometimes those on this side of the House wonder if we are suffering from a condition akin to tinnitus which manifests as an incessant whining from the member opposite!

Hon Ljiljanna Ravlich: You are suffering from brainlessness.

Hon Ken Travers: Don't talk about the National Party like that.

Hon SIMON O'BRIEN: Frankly, those comments do not help when one is trying to present a positive view to the House in a non-partisan and non-confrontationist way. For the benefit of Hon Ljiljanna Ravlich I specifically said earlier that one thing we must guard against is the situation in which employers have job vacancies and, because of a lack of skilled people, find it necessary to look overseas for people.

Hon Ljiljanna Ravlich: Why shouldn't they train unemployed local Western Australian people?

The DEPUTY PRESIDENT: Order! Hon Simon O'Brien is addressing the Chair; he is not answering questions without notice.

Hon SIMON O'BRIEN: That is the second remark by interjection from Hon Ljiljanna Ravlich which completely ignores comments I have already made. It is at the heart of my speech, which is about addressing the need to train our own people. That is what I am about this afternoon.

Hon B.K. Donaldson: You may need an extension of time to convince Hon Ljiljanna Ravlich of what you are trying to say.

Hon Ljiljanna Ravlich: I am convinced.

Hon SIMON O'BRIEN: The Building Bridges expo running yesterday and today has been well attended by students from local high schools. It is offering some positive assistance to potential job seekers.

Hon Ken Travers: Did it get its funding cut by the Federal Government?

Hon SIMON O'BRIEN: Next week the Western Australian Department of Training, I understand in cooperation with the Education Department, will be launching a state school leavers' program. A youth employment initiative was also launched recently under the banner of "Access to All Areas". These are state government initiatives. So that the House can acknowledge them I want to draw attention to some of the efforts made by other non-government groups trying to address this problem. I will pay tribute to some of the people involved in the Automotive Industry Training Council.

Hon Ljiljanna Ravlich: The Government has cut its funding to the group training scheme. I am glad you mentioned it.

Hon SIMON O'BRIEN: They are working under difficult circumstances. I have been working with them for the past year or so, and I am looking forward to telling the House more about that soon.

We have various industry advisory bodies assisting sundry institutions, be they government or private, seeking to assess and communicate the requirements of industry to our training institutions, be they technical and further education colleges, small industry based training groups or privately run operations, such as the Motor Industry Training Association, and so on. It is a very complex question because of the number of industries involved that play an integral part in our community. Just this week the Minister for Employment and Training, Hon Cheryl Edwardes, announced programs being conducted in conjunction with industry training councils.

Hon Ljiljanna Ravlich: Will ITCs survive?

Hon SIMON O'BRIEN: That is a good question.

Hon Ljiljanna Ravlich: How about giving us the answer?

Hon SIMON O'BRIEN: The Minister announced initiatives for ITCs. I hope some of them will help us maximise our most valuable resource; that is, the experience of Western Australians. Hopefully we can encourage industry and government to pool their collective understanding and intelligence to help increase efficiency and performance, thereby creating greater opportunities and a greater jobs pool.

ITCs, in which my friend opposite is very interested, number some 16 in Western Australia. There were 18 when I first became involved.

Several members interjected.

Hon SIMON O'BRIEN: I will leave the Hairdressers Registration Board firmly to one side. That issue has been well aired. At present, 14 of the 16 ITCs in Western Australia are funded and two are not. The two not funded are the Automotive Industry Training Council and the Minerals and Mining Industry Training Council. I am primarily concerned today with the Automotive Industry Training Council. I have worked with the AITC, and I acknowledge the great work done by its President, Mr John Burden and the executive officer, Mr Ross Goodlet, who might be known to some members.

I sought to address the funding question in a submission I lodged on behalf of the AITC seeking a greater partnership between government and industry. I was surprised and not a little alarmed to learn that there would be no ongoing funding for the Automotive Industry Training Council.

Members might be interested to hear details of the automotive industry in Western Australia. Of course, it includes popular figures such as car sales people, but it goes far beyond that. It involves every aspect of maintenance, retailing and servicing. It employs about 45 000 Western Australians in over 9 200 different locations. It is the State's third largest retail industry and it accounts for 35 per cent of all Western Australian retail sales, which is about \$6b annually. It is a very large part of our community and it employs people in very many and varied occupations. I have mentioned sales people, but it goes far beyond that straightforward and public occupation: There are mechanics, and they are spread far and wide throughout the State, and other specialised mechanical repairers and installers, tyre fitters, brake and exhaust experts, panel beaters and spray painters. They are all skilled occupations that require training and qualifications.

I was surprised at my first meeting of the ITC to find representatives from SGIO. I asked myself what they were doing at the meeting. Of course, insurance assessors -

Hon Ken Travers: I have seen the way you drive. You should have known why they were there.

Hon SIMON O'BRIEN: The member has not seen the way I drive. Insurance assessment is a very big part of the automotive industry. Of course, there is a real training need for assessors.

Even the more basic, semi-skilled workers, such as car detailers, require training. The industry also includes such diverse elements as upholsterers who specialise in marine and motor vehicle work, and the list goes on. It is continually surprising to hear how many different people are included under this training council umbrella. Consequently, the problems of coordinating training needs are exaggerated.

It surprised me to learn that the industry is expected to exist on its own devices. The industry is anything but united; it is fiercely competitive and guards its secrets jealously.

Hon Ljiljanna Ravlich: Why does the Government not fund it?

Hon SIMON O'BRIEN: I raised that matter with the Minister in the submission to which I referred earlier.

Hon Ljiljanna Ravlich: Is your Minister not listening?

Hon SIMON O'BRIEN: The honourable member will be delighted to know that there is good news.

We organised a seminar in September last year at which it was decided to set up the automotive industry advanced education foundation. It would specifically look at meeting some of these challenges by involving one or more of our tertiary institutions. That was done for a particular reason. The automotive industry is undergoing tremendous change. For example, members will have noted that in recent years used cars have been sold with extended warranties of three years and 100 000 km, which is much higher than was the case a few years ago. In many cases the servicing of these vehicles during that period is factored into the purchase price and involves in-house servicing by agents working with or for the primary seller. That has changed the pattern of frequent servicing of vehicles by Fred's local garage; we now rely on dealerships to undertake servicing. That has changed the pattern of employment in this sector.

We are also experiencing the evolution of engines that require far less maintenance, possibly with 100 000 km gaps between services. As a result, there are fewer, and in many cases more specialised, service transactions. In fact, in future our mechanics will not be characterised by greasy overalls and a spanner in their back pocket but will look more like a laboratory technician in a white coat. That is already happening.

Hon Ljiljanna Ravlich: Will the Minister fund the ITCs?

Hon SIMON O'BRIEN: In pursuit of the project I just mentioned, \$20 000 was advanced to bring together a range of different principles in an advanced education foundation to provide coordination of and a career paths for those involved in the industry.

Hon Ljiljanna Ravlich: Operational funding for the AITC is about \$100 000, which is equivalent to that required for all other ITCs. Will the Minister fund it? Do not ignore me, it is a good question.

Hon SIMON O'BRIEN: Mr Deputy President, the diversity in and the size of the automotive service industry are the sorts of challenges now confronting our society and those involved in training assessment and provision. It is important also to consider funding for the ongoing requirements of training which are apparent and will continue to evolve as time goes by. To this end, it is important that we take advantage of the inbuilt advantages that we do have, even in the automotive training industry, to provide income for those training functions to help, in turn, bolster research and development of training in those industries for all the benefits that I alluded to in my earlier remarks.

The automotive training industry is seeking to do this. This comes back to the advanced education foundation, to which I referred earlier. That foundation is working hard with the men I mentioned earlier; with people like Alistair Carlisle and representatives from several of the major manufacturers based in this State; and with two of the TAFE colleges south of the river. Some of the incentives include taking advantage of some of the technology which has been created in recent times by government bodies. For example, the Department of Commerce and Trade has a telecentring program which has the ability to direct training to individual industries, communities and people throughout the State. If someone living in a remote area has to be trained in an aspect of the motor industry, he can achieve much of his tuition by attending regional centres through the Department of Commerce and Trade's telecentring program. The result is that people can be trained in their own working environments. The obvious savings in time and money are apparent to all.

Another initiative I want to acknowledge comes from the South East Metropolitan College of TAFE. It has designed what it calls a skills supermarket enabling employers and employees to identify the areas in which specialist training is required. That is something I may mention on another occasion.

The other aspect of automotive training which has great potential for exploitation is the provision of training to

overseas students. It is not only in this country that reliance is placed on automotive industries. It is an industry that exists all over the world. Our immediate neighbours in this South East Asian region similarly have a requirement for all the skills that I have alluded to earlier. However, in many cases they have very little access to training. I am not talking about the stereotypical half-qualified mechanic in a rustic setting in a far off and primitive country who uses chicken wire and bits of wood to fix engines that are amazingly kept alive through such primitive methods. I am talking about providing more specialist training, particularly in the more technologically advanced disciplines and manufactures that appear more frequently in our landscape. This is where we excel because we have the expertise and people already involved in the industries and training; we can be leaders in this field. By exporting training, whether by delivering the product offshore or, more preferably from my viewpoint, if overseas students are brought here to receive training, we can provide valuable overseas income for our training institutions which helps to make them in turn more viable.

Hon Ljiljanna Ravlich: The sum of \$200m annually at the moment. Do you know anything?

Hon Ken Travers: Would that be mainly Asian countries you are targeting where you would be selling these positions to people to come here?

Hon SIMON O'BRIEN: Does the member mean all the countries, whether in Asia or on the subcontinent?

Hon Ken Travers: According to Hon Greg Smith's comments that would put that industry at risk.

Hon SIMON O'BRIEN: No.

Hon Ljiljanna Ravlich: Come on.

The DEPUTY PRESIDENT: Order, members!

Hon Ljiljanna Ravlich: Is this going to get any better?

Hon SIMON O'BRIEN: It can. A few phone calls recently to Singapore indicated a ready demand for a group to participate in this type of training. We are already doing it on this scale by providing training to overseas pilots at Jandakot.

Hon Ken Travers: I know we are doing it. I am just concerned about losing it.

Hon Bob Thomas: It is worth \$200m a year and you are generalising.

Hon SIMON O'BRIEN: Is that not valuable? If we can further expand that -

Hon Ljiljanna Ravlich: Here we go.

The DEPUTY PRESIDENT: The member should not be driven to digression. Hon Simon O'Brien.

Hon Kim Chance: He needs help, he needs some direction.

Hon SIMON O'BRIEN: Mr Deputy President, from time to time I am more than happy to digress. I always try to field interjections with good humour. It is being driven to distraction - that is the problem. I will address you, Mr Deputy President. I agree with Hon Bob Thomas that a \$200m industry is a valuable component and we do not want to place it at risk. What we must do is exploit it and develop it exponentially. In this way we will provide for our own industries and our own job seekers now and in the future, and for greater income to pour into our own training institutions so they can help sustain themselves, whether or not they have government funding, so that they can continue to develop and provide better products. In providing those better products, they will primarily be providing them to our own job seekers.

Hon B.K. Donaldson: Will you have time to talk about customs and sniffer dog training?

Hon SIMON O'BRIEN: Mr Deputy President, the nature of interjection has now extended to honourable members putting their hands up and listing other titles that they would like me to canvas. I look forward to doing that and telling members all about customs training matters on another occasion.

Hon Ljiljanna Ravlich: Just tell us if the Minister is going to fund the ITCs.

Hon SIMON O'BRIEN: For now, I acknowledge the vital work being done by many groups in our community that are trying to match job seekers with available job opportunities.

Hon Ken Travers: The member is right about bridging the gap -

Hon SIMON O'BRIEN: I note that Hon Ken Travers joins me in congratulating that body.

Hon Ken Travers: It does an excellent job. It is a shame that funding for those organisations was very heavily cut recently -

Hon SIMON O'BRIEN: That is not true. I do not suggest that Hon Ken Travers should abandon tradition and custom by allowing the facts to creep into his remarks, but that is not the case.

Several members interjected.

Hon SIMON O'BRIEN: Despite the protestations by Hon Bruce Donaldson, I must tear myself away from this topic, and bring my remarks to a conclusion. Before doing so, for the benefit of Hon Ken Travers and Hon Ljiljana Ravlich I refer to a document dated 9 June this year from the Minister for Employment and Training, advising of new industry advisory arrangements -

Hon Ken Travers: I was not attacking this State Government. I was attacking the member's federal colleagues.

Hon SIMON O'BRIEN: The member should stop that! That is the Government's job!

The Minister for Employment and Training points out that under the new industry advisory arrangements the two key functions of industry training councils will continue to be funded. I note that the interjectors have left the Chamber on important parliamentary business. I am about to provide the answer requested by Hon Ljiljana Ravlich. I have been holding on to this answer, in the hope she would be sitting there hugging herself in the delicious anticipation of receiving the answer. Unfortunately she will miss it!

The DEPUTY PRESIDENT (Hon J.A. Cowdell): I am sure that reading it in *Hansard* will be just as good.

Hon SIMON O'BRIEN: Sometimes, Mr Deputy President, one must be there! Obviously, in the view of members opposite, this is not one of those occasions.

The document states that the core functions of ITCs will continue to be funded, to enable them take a leadership role with industry and to provide industry input on quality assurance and recognition arrangements. The vocational education and training system will have linkages to the promotion of new initiatives and developments. On the basis of the theme of my speech today, one can understand how delighted I was to read those undertakings by the Minister for Employment and Training. I congratulate the Minister for taking that stand.

HON B.M. SCOTT (South Metropolitan) [2.43 pm]: I congratulate the Government on its presentation of the Budget, particularly the Minister involved in this House. It is a very sound Budget. Although the overall impression of the new accrual accounting system has been impressive, the issue I raise today should be regarded as cautionary notice to the Government that always more needs to be done.

The first issue I wish to address relates to children, which will not come as a surprise to my colleagues. Specifically I wish to talk about playground safety. As most members will be aware, in 1996 the national Australian and New Zealand playgrounds safety program was initiated, specifically relating to playground surfacing and the specifications for the placing of playground equipment. The issue I raise this afternoon crosses a number of portfolios and responsibilities in government, namely the Department of Local Government, the Health Department, the Department of Family and Children's Services, and the Education Department. The national playground safety regulations must have a high status so that those departments take cognisance of children's safety. This morning we heard about workplace safety. In the industrial safety arena there is a recognised hierarchy of hazard control methods and measures. However, when we talk about children often we do not consider the implications of not recognising hazardous situations.

I refer now to the 1996 document "Australian/New Zealand Standard - Playground Surfacing - Specifications, requirements and test methods" -

Ideally, playgrounds should encourage development of gross and fine motor skills, and also present a stimulating play environment which presents children with manageable challenges, through which children can find and test their limits. In order to provide these challenges, a balance must be found between risk and safety.

Most children will be adventurous. They will climb trees, swing on swings, play in sand patches and slide on slides. However, as a Government and a community we must ensure that regulations require that any playground equipment meets a safety standard that reduces the hazards to young children who play on them.

This afternoon I highlight for members the significance of this issue, because very often in this place I say that children do not have a voice. Many members in this place speak on behalf of employers and employees and their respective safety standards, but few members devote their parliamentary time to children's issues. That is the reason I take this opportunity this afternoon. Firstly, I wish to talk about Playground Update 1997 put together by Kidsafe

WA, a small organisation which is funded to the tune of \$28 000 through the Health Department and Princess Margaret Hospital for Children. One of the main areas of activity of Kidsafe, which is a very worthy organisation, is to collect data and highlight it in the media so that people are aware of the nature and incidence of injury to children. Kidsafe, unfortunately, does not have enough funding to undertake huge media campaigns. However, with its restricted budget of \$28 000, the organisation does a very good job. I would like to see that extended.

According to the June 1998 Playground Update, the most prevalent playground injuries in this State occur in school playgrounds. Recent data has revealed that in 1997 school playground related injuries accounted for approximately 70 per cent of the total injuries from playground equipment. Injuries in child care accounted for 4 per cent and public playgrounds 26 per cent. In 1997, approximately 781 severe injuries resulted from school playgrounds in the metropolitan area with approximately 1 128 severe injuries Statewide. National data appears to indicate that Western Australia is on par with many of the other States. This data indicates that school playground equipment injuries across the State and nation comprise about 35 per cent of all childhood injuries compared with public playgrounds where 24 per cent of injuries occur and private residences where 20 per cent occur.

We need to look at the types of injuries. The most common injuries are fractures of the upper and lower limbs and intracranial fractures or related injuries. National statistics estimate that approximately 11 000 to 14 000 playground related fractures are incurred by Australian children each year. That is a very high number. We should look at ways of reducing that figure. The Australian data has been compared with data from New Zealand for 1997. It shows that every year in New Zealand 15 000 children are hospitalised with largely preventable injuries. Around 1 250 of these children die. Beyond infancy, preventable accidents are the number one killer of New Zealand children. They kill three times as many children as cancer, four times as many as respiratory illnesses and 7.5 times as many as infectious diseases.

I will spend some time on the sort of injuries that occur and why. In Western Australia, the data reveals that the leading mechanism of school playground related injury is falls. Falls from one metre or above accounted for the majority of injuries. The Australian/New Zealand Standard AS/NZS 4422:1996 is the national regulation document. I am happy to table that. It talks extensively about the height of certain playground equipment and the possible injuries that can be inflicted from a fall from a certain height. It is technical and I do not intend to go through all the statistics. Most children are injured from falls from equipment that is not terribly high. The weight of the fall inflicts serious injuries and falls of one metre or above account for the majority of injuries to Western Australian children.

We need to look at the type of injuries, how they occur and the age and the gender of the injured children. I find this very interesting. In 1997, school playground related injuries in Western Australia were most common among children aged five to nine - the early childhood sector. Of those, males accounted for approximately 65 per cent of the school playground related injuries. This is a situation that I have flagged in this Parliament. Boys are often more vulnerable, more at risk. Perhaps they take more risks. We cannot continue to deny these statistics.

It is self-evident that we need to look at school playgrounds. Although hazardous equipment is often the cause of many school playground injuries, another contributing factor is the number of hours children spend at school and the greater availability of play equipment. The greater number of children using a school playground at the one time compared to public playgrounds can lead to crowding and create a greater risk of injury. The ratio of children per supervisor in the school setting may also contribute to the high playground injury rate in schools. More students per teacher reduces the rate of supervision and may contribute to injuries.

I highlight the statistics that Kidsafe has so carefully crafted. It does this every year for the Western Australian community. I also highlight the existence of national playground regulations and requirements. It appears that the process of implementing these national playground equipment standards is under-resourced. I have mentioned the existence of Kidsafe and Playgrounds on Demand, which is known by its acronym, POD, and is chaired by Penny Reid. It is a non-profit, voluntary organisation which receives funding in the vicinity of \$120 000 a year. It has three officers who serve around the State on call. Kidsafe has one officer, and is funded with \$28 000 a year from the Princess Margaret health budget. The existence of Kidsafe and Playgrounds on Demand does not provide adequate coverage of all of the centres where children play.

I will be calling on local government, which is responsible for many playgrounds in this State, to look very carefully at the national requirements and regulations for playground safety and the implementation of playground equipment standards to ensure that some basic standards are put in place requiring advice to be given to councils on the selection of playground equipment, on the soft fall areas and on the height requirements. These are new regulations but they have been made because of the high number of injuries incurred in this country; and we have the figures from New Zealand. It is important that the local government authorities are aware of not only the incidence of injury but the likelihood of being left wide open to litigation. We are living in an increasingly litigious society and parents of young children have every right to question whether playground equipment is conforming with the soft fall standards and height regulations which are included in these documents on playground safety and equipment.

Hon Derrick Tomlinson: How do you balance the learning that comes from a child taking a risk and the need to protect the child from the consequences of a risk?

Hon B.M. SCOTT: That is difficult. A balance must be found between risk and safety because children like to explore. They like to take risks. We have to make the equipment challenging and satisfying for them. There has to be balance that is on the safety side. That is why a whole raft of people around Australia and New Zealand are putting these two detailed documents in place. Often only simple rectification is needed. Just last week I was told of a three year old who fell from a slide which did not have safety barriers. She broke her collarbone.

As I said earlier, with 11 000 accidents occurring in Western Australia and 15 000 accidents and 120 deaths occurring in New Zealand each year, which is a much higher incidence than the most serious diseases from which children suffer, it is an area of major concern. There is a need to strike that balance and to build teams of people who have knowledge of age appropriate play equipment and appropriate playgrounds that will offer a challenging play area. Children learn a great deal through their play, and it is important that they have safe and secure play areas which are also challenging. The document states that sandpits and water are probably the most useful spaces allowed in any playground, and are the safest and probably the most challenging for small children. However, so often these areas have a concrete or pine log surround put in by industrious and enthusiastic parents who do not think about children slipping, falling and hitting their heads. Early childhood centres must be aware of the sort of equipment that should be installed and the appropriate surrounds for that equipment.

I was privileged last November to accompany Prue Walsh, an Australian expert in this area, on a visit to some playgrounds. It was easier to understand the dangers of some of the most simple things, which I did not imagine were extremely dangerous, when they were looked at through the eyes of an expert. We went to some kindergarten centres, preprimary centres and child care centres. One of the best kindergartens in the State had a swing close to a high fence and it did not have the outward reach area. Therefore, a small child could swing very high and catch his or her feet in the fence nearby, because the swing was too close to the fence.

Hon Derrick Tomlinson: It would grow tall quickly!

Hon B.M. SCOTT: Yes, or dangle very dangerously. Across the State are a number of agencies that should look very closely at the strategies of advice to parent bodies, school communities, child care administrators and local government authorities in a number of areas. Appropriate play equipment covers a range of areas, all of which are important. Consideration should be given to how they are put in place, where they are placed in the playground and whether they are maintained. The soft fall areas from slides and under swings, cubby houses and adventure areas built up for young children, are extremely important. I was told of an incident last week in which parents and friends put in a soft fall area that was only 3 centimetres deep instead of 30 cm deep. It was a waste of their time. Some school principals who may have decided the school community does not have the funding to provide the appropriate soft fall area, plough up the grass under the equipment and hope it will reduce the number of accidents.

Although there are a number of very good organisations in this State - I have worked closely with Kidsafe WA and Playgrounds on Demand for a number of years because they both have offices at Meerilinga - they are under-resourced. I was called by a television channel for some comment on this recently, and it renewed my interest in the whole area. Those people did not know where to go for information. There is no central reference point for parents who want to establish a playgroup or people administering a child care centre or school communities. The Education Department responded to a request for information late last year, and sent a circular letter to all the district superintendents and principals at government schools regarding the 1996 Australian and New Zealand standard, which details playground safety specifications and requirements. However, no additional finance has been provided for schools to rectify any danger areas. At existing schools it is the responsibility of the school to make sure the area is safe.

Hon Derrick Tomlinson: Circular letters go into circular filing cabinets. Is there a coordinating authority to make sure schools, preschool centres, hospitals and so on are properly informed about that?

Hon B.M. SCOTT: No there is not. That is the point I shall elaborate on. New Zealand established a Commissioner for Children. I note that the circular newsletter from the Office of the Commissioner for Children of September 1997 contains a detailed report for an Operation Kidsafe in New Zealand. I previously quoted the high number of injuries to children in New Zealand. Although Kidsafe is part of the Office of the Commissioner for Children, it is easily located because people call the commission for advice. I suggest again to this Parliament that Western Australia needs a central reference point. If a local authority today wondered where to go for advice -

Hon Muriel Patterson: What about Kidsafe?

Hon B.M. SCOTT: I have talked about that. It operates on a budget of \$28 000 a year from the Princess Margaret Hospital for Children. It is a very worthy organisation but it has only one full time officer. The only work it can do

is produce a data watch, and raise these statistics in the community to make it aware of the high number of injuries. It has media campaigns and, where possible, it goes to shopping centres to explain to parents such things as the safety latches that should be applied to kitchen doors and cupboards, how to best place pots and pans and so on. It does an extremely good job but it is one small agency with one officer. POD has three employees. There is no central reference point in this State to which all the agencies with the huge growth in child care provision, the early childhood sector, and local governments, who are providing more adventure playgrounds and the like, can go.

Hon Derrick Tomlinson: How does the New Zealand model work? You referred to that providing guides. Is that its sole responsibility?

Hon B.M. SCOTT: The New Zealand Office of the Commissioner for Children operates under a Minister and it advocates in a range of areas for children. It is involved in systemic advocacy, prepares impact statements on legislation and provides parental advocacy. It has Operation Kidsafe and looks at the health and welfare of children and at specific issues, such as school suspensions and expulsions. I note from one of its magazines that it asks questions all the time about the status of children. It does a lot of work with the Maori population in New Zealand, such as the cells of Maori home nesting philosophy where a small group of parents and mothers get together. It is a very proactive area in New Zealand, and the office encourages those sorts of things. It assists dependent children. In the main, the office is a proactive advocacy office for children and it picks up many issues in the community where it feels it should advocate and be the voice for children. It tries to measure the health, fitness and wellbeing of children, and safety of play equipment is one of the areas that it promotes through its national group Kidsafe New Zealand.

I wanted to raise this issue in the Parliament because I am concerned about the huge growth in our services in Western Australia. It is very positive for our young children that the people who are responsible for running child care centres, playgroups, preprimary centres, schools and other government playgrounds are aware of the regulations and their implications, and if they follow simple rules and guidelines, the result can reduce the high number of injuries to children. The upper area of importance is that there has been a shift in public liability insurance and coverage in the past couple of years. All of these independent and small groups, such as the playgroups, kindergartens and child care centres, are now independently liable and responsible for their coverage by public liability insurance. That liability attaches to the owner of a building or the owner of equipment. They need to know that unless they comply with these regulations, they could be liable to court action by parents. This points to the issue that I have raised before that a central reference point for a whole range of matters relating to child centres, including the area of playground safety, would be a positive initiative for this State. This was displayed last week when a news channel in Perth tried to find somebody who could tell it something about this issue. It was difficult for it to find any groups or, indeed, to find where to go.

I commend the Budget to the House. I look forward to receiving the answers to the questions I asked in the budget estimates on whether the Education Department will extend its budget in this area to ensure that it has more than one or two people to cover all the schools in this State. If no central reference body is established, more and more calls will be made to officers of the Education Department because, as schools become more aware of the national New Zealand and Australian playground regulations, they will call on experts to advise them on how and where to place playground equipment; what sort of equipment to purchase or install; and the soft fall areas and required heights to ensure the safety and security of our children.

HON J.A. SCOTT (South Metropolitan) [3.13 pm]: Hon Barbara Scott started her speech on the same matter that I will start mine; that is, the way in which the Budget was presented. That is where the similarities in our speeches end, because I do not share her enthusiasm for the manner in which the Budget was presented. The Minister for Finance, Hon Max Evans, introduces many of these Bills in the House. I realise he is not the primary person responsible for this Bill. I say that because most of the Bills he puts forward in this place are very well presented and give us a good description of what we are about to debate.

I was disappointed with the Budget because, while it gets a couple of points for going over to accrual accounting, at the end of the day, only the accountants will know what the balance actually is. It is not the sort of document which enables members of this House to look at the direction of this State and compare where we have come from with where we are likely to go. Neither is it a document which enables us to judge how many people are employed in government departments and carry out the work in those departments. The performance indicators are laughable and meaningless. No links are made to past years and there is no indication of staff levels in those departments.

Hon Derrick Tomlinson interjected.

Hon J.A. SCOTT: If a performance indicator states a department has achieved so many things, if one does not know how many people were involved, one does not know whether it was a good achievement or a poor one.

Hon Derrick Tomlinson interjected.

Hon J.A. SCOTT: That is the line of thinking to which I refer. I am also disappointed that - I say this from a Greens (WA) perspective - this is a "future eaters" budget. Hon Bob Thomas is wondering what I am talking about. *The Future Eaters* is a book by Tim Flannery that looks at the way in which the generation of today is taking away the future of future generations.

Hon N.D. Griffiths: You do not have to tell us; Hon Bob Thomas has lent me his copy.

Hon J.A. SCOTT: It was certainly not a work of fiction; a work of fiction is the sort of budgets that we have which forget to calculate the loss of our assets in this State.

Hon Derrick Tomlinson: Why, because the future has eaten them?

Hon J.A. SCOTT: No, because they are being eaten now. What is occurring -

Hon Nick Griffiths: You are living off tomorrow's resources today.

Several members interjected.

The DEPUTY SPEAKER (Hon J.A. Cowdell): Order! Hon Jim Scott must be able to continue to educate members.

Hon J.A. SCOTT: Government budgets should be different from business budgets. They are not just about achieving a high enough operating profit to pay a dividend while also keeping the company ticking over; they have much wider functions. Those functions must go outside the narrow confines of profit and dividends to investors. This State is using up our primary assets at a rate which is unsustainable.

Another factor that I do not like about this Budget - I will get to this in more detail later - is the choices that the Government has made, because at the end of the day, a budget is about making choices as to where the available money is spent. The Court Government has done an appalling job on this occasion. Hon Derrick Tomlinson may laugh about that and he may -

Hon Derrick Tomlinson: I am just merely amused.

Hon J.A. SCOTT: The Court Government has not been around that long, but we have seen a 20 per cent increase in state taxes and charges.

Hon N.D. Griffiths: It was 77 per cent, not 20 per cent, in five years.

Hon J.A. SCOTT: We have seen a corresponding decline in services to the community. Where has that money gone? Let us look at the health services in the State. No-one can deny there has been a steep decline, with growing waiting lists, with nurses refusing to work, not so much because of the money aspect, but because the conditions under which they are asked to work are becoming impossible.

Hon N.D. Griffiths: They do not use proper dispute resolution measures.

Hon N.F. Moore: Like what?

Hon N.D. Griffiths: A bit of leadership would be good.

Hon N.F. Moore: Leadership as far as you are concerned is writing out a cheque.

Hon J.A. SCOTT: Why have we had a decline in services, when we are being taxed much more? The long waiting lists do not involve just a cost aspect. This does not show up in the Budget at the end of the day: Although many of those people are waiting for non-essential surgical procedures, they are in pain. The Government chooses to believe that for some reason the nurses are to blame for the health crisis at the moment. It is convenient to blame them because they are on strike. I remind the Government that the hospital system was in crisis long ago.

Hon Ray Halligan: It started during Labor's term.

Hon J.A. SCOTT: No. This Government inherited probably one of the best health systems in the world.

Hon Bob Thomas: And the coalition Government ruined it.

Hon J.A. SCOTT: I think we had one of the best health systems in the world and the Government is destroying it. I am not saying that it was perfect, but it has declined since. When did this decline begin? I can tell members precisely when it was because I remember it very clearly. In this House we had a debate which followed a series of questions regarding the removal of senior bureaucrats in the public health system. The second in charge of the department, who was responsible for overseeing the financial affairs, Paul Solomon -

Hon N.D. Griffiths: Solomon and White. I remember it well.

Hon J.A. SCOTT: Solomon knew how the hospital system was glued together.

Hon Derrick Tomlinson: A wise gentleman. He knew how to divide a baby!

Hon J.A. SCOTT: He was removed from his position purely and simply for political, ideological reasons.

Hon Ray Halligan: Did that happen in 1983?

Hon J.A. SCOTT: It happened in 1993 or 1994.

Hon N.D. Griffiths: Who was the Minister then?

Hon J.A. SCOTT: Paul Solomon was removed because the Premier wanted to sell Healthcare Linen.

Hon N.D. Griffiths: It was Kierath.

Hon J.A. SCOTT: I had several letters about this matter tabled in this Parliament, and if the member wants to read them, I am quite happy to provide them. The Premier wrote to the then Health Minister and told him how disappointed he was that Healthcare Linen had not been sold. One of the reasons given for that not going ahead as quickly as the Premier might have wanted was because an in-house bid was made at that time, with the help of some outside finance, as one might expect with such a large organisation.

Paul Solomon was the second in charge because the chief executive officer at the time - I think it was Mr Brennan - was overseas. Paul Solomon found that the person who made the in-house bid was working in an area in the department where he could view the other bids that had been made for that service. That is a breach under the public sector regulations. It could have been construed as a breach of the Western Australian Criminal Code as well. The terrible crime of Paul Solomon was to move this person to another department. He could have sacked this worker. There were three options available for Paul Solomon under the regulations: He could have sacked the employee; he could have thrown out the bid; or he could have transferred the worker to a different department until the sale was completed. He chose to do the least nasty of those options by transferring him. That was not good enough for the Premier or for the then Minister for Health. The Health portfolio at that time was a little nebulous because the letter had been written by the member for Riverton who at that time had not taken up the portfolio. It was a transitional time following Hon Peter Foss being the Minister for Health. Within 12 months the hospital system was in trouble. There was an overrun in the budget of about \$87m.

Hon Ray Halligan: All due to one man! The whole hospital system revolved around one man!

Hon J.A. SCOTT: He was not the only person who went. A number of people got sacked, as I have said.

Hon Ray Halligan: You told me he was a guru.

Hon J.A. SCOTT: He was the expert who held the financial reins of the public health system.

Hon Ray Halligan: Because one man was moved sideways, the whole system collapsed?

Hon J.A. SCOTT: That is not so. A lot of people got the chop, including the chief executive officer. Mr Solomon's replacement was a class 3 public servant who had come from the Police Department. He was lost in Mr Solomon's position. He did not know what he was supposed to do.

Hon Ray Halligan: To replace Mr Solomon.

Hon J.A. SCOTT: It was not his fault, because he had no experience in that area.

Hon Ray Halligan: Was that Mr Solomon's replacement?

Hon J.A. SCOTT: Yes.

Hon Ray Halligan: What level was Mr Solomon?

Hon J.A. SCOTT: I think he was a class 7, from memory, and was replaced by a class 3 officer.

Hon Ray Halligan: A middle of the road public servant.

Hon J.A. SCOTT: As I was saying, Mr Solomon was replaced by a far more junior public servant, who failed to come to terms with the new position. Solomon was replaced at the instigation of the Premier and the then Minister because he acted in accordance with the public service regulations that were in place at the time. I do not think that was a good reason for his removal. I am not saying that is the sole reason we have the problem with hospital funding.

Another reason is that this Government's priorities in this area are wrong. It will spend vast amounts of money on a number of projects which do not have the imperatives attached to them as does the failing health system. I want to know where are the savings from the sale of Healthcare Linen; from outsourcing and privatisation; why we are closing schools and selling off school grounds to pay for education; and where the social dividend is from selling community assets, such as BankWest and the Dampier to Bunbury natural gas pipeline.

Hon N.F. Moore: What a dopey thing to say. Have you had a look at the Budget properly to see where the dividend is?

Hon J.A. SCOTT: Yes, and I see where it is going. We are seeing very large amounts of money going into private investments; for example, money will be put into an industrial development at Jervoise Bay.

Hon N.F. Moore: To create jobs.

Hon J.A. SCOTT: Money will be available for the project at Oakajee. The developer of the Jervoise Bay project can take advantage of that money. I am not saying the Government should not do that at all, because I believe that Governments should help instigate projects which will create jobs.

Hon N.F. Moore: If you support that, why are you opposing it?

Hon J.A. SCOTT: Let us look at the Government's priorities. It has spent nothing to ensure the environmental sustainability of Cockburn Sound. The last reports on that area indicate that the ocean there is in trouble.

Hon N.F. Moore: Which report is that?

Hon J.A. SCOTT: The annual report of the Department of Environmental Protection, the metropolitan coastal waters study and others.

Hon N.F. Moore: You sometimes exaggerate the findings in these things.

Hon J.A. SCOTT: I can get the document and point out the relevant parts to the Minister if he would like. The Minister knows full well that report was damning of the condition of Cockburn Sound. No money has been spent on cleaning it up. The Government has allocated \$120m for the industrial site, which will create extra pollution which will go into the sound but no money for a cleanup. Other industries and commercial ventures in that area will be at risk from expansion in that area - for example, the mussel farms. The Government will also spend large amounts on a port at Oakajee, which is a fantasy of the Government that it must have an industrial area further up the coastline. The Government has pushed and pushed to get that Oakajee industrial estate going.

Hon Ray Halligan: You agreed with the necessity for infrastructure development in Jervoise Bay - why not Oakajee, which is still infrastructure?

Hon J.A. SCOTT: I have a lot of reservations about the development at Jervoise Bay, because it has not been done well at all. The development of the south west corridor has not been approached holistically. The plans for a port, the Jervoise Bay development, and a marina development at Catherine Point will result in a huge exclusion zone for the public from the coastline. If the Government agrees with the Kwinana Industry Council and cuts the public off from the area between the Jervoise Bay facility and the new port proposed for Cockburn Sound, the public will be excluded from Cockburn Sound all the way from Rockingham to Woodman Point. Access will also be difficult in the area north of Woodman Point, because of a marina development. That will be a very large development that will dig into the coast. Those three projects will have a vast effect on the movement of water up and down the coast. The littoral drift will be very much affected, some beaches will erode away and there will be deposition in other places. Worst of all, the total movement will be cut down severely by sea walls - some of which will extend 3.5 kilometres into the ocean. Already there are problems with the existing Jervoise Bay facility.

The Greens (WA) would like to have an ecologically sound and properly designed facility at Jervoise Bay that would ensure some control over the chemicals that are used there, like tributyl tin, which is already over used in the sound. That is the most toxic material ever deliberately added to water by man. Too little is happening in that regard.

Hon Simon O'Brien: It is all very well to identify the problems, but do we tell the world's shipping not to come here?

Hon J.A. SCOTT: We do not put a whole lot of developments close together in an area which is already overload with tributyl tin. In its development of modules up north the Government should specify an anti-fouling agent other than tributyl tin.

Hon Simon O'Brien: That may result from the Navy's research and development of the Collins class submarine. However, do we allow overseas ships into port or do we string them up and down the coast?

Hon J.A. SCOTT: The Port of Fremantle is nowhere near its capacity because in most cases it uses old cranes; it has

one new crane. Many of the cranes came from places like Singapore in the 1960s. They are incredibly slow, which is part of the productivity problem on the waterfront. The other issue is that Westrail is negotiating with the community in North Fremantle saying that it does not want to build a rail into North Quay. If that rail link is not built all the containers unloaded at North Quay will be put on trucks and driven around to Victoria Quay to be loaded onto a train. That will make that port incredibly inefficient. The Government is not a good manager as it is not looking at these issues properly. If the Port of Fremantle were set up more efficiently, with better and more modern cranes and the proper rail link to North Quay, there would be no need to build two ports in Kwinana. The existing Port of Fremantle could be expanded without building a huge structure out in the ocean at Cockburn Sound.

Hon Simon O'Brien interjected.

Hon J.A. SCOTT: We are seeing a port being built on ideology. The Government will get itself into trouble through its ideological economic decisions rather than sound decisions.

Hon N.F. Moore: I am glad that your attitude is not ideologically motivated.

Hon J.A. SCOTT: Transform WA is another priority of this Government and involves \$1.26b of extra funding on major road building in this State.

Hon M.J. Criddle: All positive thinking.

Hon J.A. SCOTT: They are not all positive projects. I am not saying that every single project is bad. However, an awful lot of the metropolitan projects are a huge waste of money. Every rally that comes up to Parliament House - people looking for more housing for the disabled, or the nurses - refers to the Government's huge waste of money on white elephants like widening the Narrows Bridge and the Northbridge tunnel fiasco.

Hon N.F. Moore: Put them all on a trolley bus.

Hon Ray Halligan: We should have rickshaws.

Hon J.A. SCOTT: Hon Norman Moore refers to trolley buses but time has moved on and we have a more modern public transport system. The Government wants to build a rail line through Kenwick, where nobody ever goes apart from the people in Kenwick, to Rockingham.

Hon N.F. Moore: I am sure the local member will be pleased to hear that comment.

Hon J.A. SCOTT: How many people travel from Kenwick to Rockingham?

Hon N.F. Moore: There are significant developments between the two.

Hon Simon O'Brien: That railway is not about getting people from Kenwick to Rockingham, it is about getting people from Rockingham and places south - people from the Jandakot and the new Canning Vale areas - to the CBD. You know that.

Hon J.A. SCOTT: I have asked a lot of questions about it and examined the issue carefully, unlike Hon Simon O'Brien. The reality is that that railway line goes over areas that will never be heavily populated with people. The railway will go close to the airport. Will the Government build right up to the airport? I know the previous Government allowed some silly development close to the airport, and the people there are now paying for it. Will the Government do that? Will it build on the Jandakot water mound as well? Why put a train line through an area where there will be no people?

Hon Simon O'Brien: That is not the case, and you know it is not.

Hon J.A. SCOTT: I know it is. Hon Simon O'Brien should look at the Perth UBD. He would not have a clue. Where do people actually travel? How many people travel from Rockingham to Perth, via Kenwick, and do a big loop out that way?

Hon Simon O'Brien: I have had three communications, including face to face meetings, with the City of Rockingham this week alone about this issue, so do not tell me I do not know anything about it.

Hon J.A. SCOTT: I still do not think Hon Simon O'Brien knows anything about it, because the City of Rockingham has been told by this Government that if it will not accept the line going that way, it will not get the line at all and it will bypass Rockingham; and Hon Simon O'Brien knows it. It has been blackmailed into accepting that position. Most of the people in Rockingham do not accept it. They do not want to go to Perth via that route. They know it is a bogus route. They know also that the money that will be spent there is not about running a passenger rail to Rockingham but about getting the infrastructure in place - the bridges and so on - to allow container traffic to go from Kewdale, through Kenwick, and to the new port at Kwinana.

Hon Simon O'Brien: It is a conspiracy theory!

Hon J.A. SCOTT: It is not a conspiracy. Is Hon Simon O'Brien trying to say that the Government does not intend to link the Kwinana port by rail? Hon Simon O'Brien should listen to the figures. The traffic movements from Rockingham north are such that at the Narrows Bridge, 160 000 people per day come from the south. However, by the time we get back to Mt Henry, that number has dropped to 70 000 people; and by the time we get to the bridge at South Lakes, only 22 000 people who have come from the south continue north up the freeway, and not all of them go to Perth - some go to Murdoch University when they reach Leach Highway, and so on. The vast majority of people from the south go further north via Cockburn Road or Rockingham Road, or they leave the freeway at Forrest Road and go across to the coast - 56 000 people go that way. The Minister for Transport thinks only one-quarter of the people who travel from the south go through Fremantle. It is a nonsense to say that 22 000 is one-quarter of 56 000.

Hon Simon O'Brien: You have beaten me into submission. We will both go to the people of Rockingham at the next election; I will go with our train proposal and you will tell them they do not want to go to Perth.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order! If the member has been beaten into submission, he should be more quiet.

Hon Simon O'Brien: A last whimper!

Hon J.A. SCOTT: The reality is that the Government's transport planning and its planning overall is exacerbating urban sprawl and imposing a huge cost on every person in this State. In this city, 16.8 per cent of our gross domestic product is spent on roads. That is the highest percentage of any city in the world. It is a vast amount of money.

Hon Ray Halligan: Are you suggesting we limit the number of people who are allowed to live in Perth?

Hon J.A. SCOTT: Yes, I am.

Hon N.F. Moore: And they can use public transport - get rid of their cars!

Hon J.A. SCOTT: That is a very good idea. We are one of two cities in the world with fewer than two million people that has photochemical smog.

Hon Ray Halligan: Should we place a fence on the border, or fence in Perth, to stop people from coming in?

Hon J.A. SCOTT: No. The Government should do what it should have done years ago. It should do something about decentralisation in this State. It should do something to get people back into rural communities by -

Hon Ray Halligan: To do that it would have to chop down trees, and you say that is a no-no.

Hon J.A. SCOTT: It does not have to do that. It must start growing trees, because that is where the money will come from. The future of our wheatbelt lies in tree crops. A vast amount of money will be made from tree crops in the wheatbelt. It is only the backward thinking people on the Liberal Party benches who do not agree.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

Hon J.A. SCOTT: Prior to question time I was talking about the vast road programs in our urban areas which will not solve any problems but will impose huge costs on our community by taking up 16.8 per cent of the gross domestic product - a percentage which will increase to maintain that program. I was asked by interjection whether the Greens (WA) would like to see some limits put on the size of this city. I said that we would. I now ask whether the Government would like to see unfettered growth of the city with no planning to limit boundaries or assessment of the optimal population to ensure the best lifestyle in the city. Would the Government like to see the city continue to expand to Bunbury without a break, as it is currently, because of a lack of planning to prevent that from occurring? That is exactly what I am talking about when I say that this is a future-eating budget, because it does not take into account those needs. It is imperative that we tackle these serious problems, which are crucial issues for the future.

Another example of waste in the Transport Department is the decision to purchase diesel powered buses. I wonder why that decision was made, given the experience of the New South Wales Transport Department, which has just completed trials of over 100 gas buses and compared them with diesel powered buses to see whether they are cheaper and more efficient, or more expensive and less efficient. It found that when all the possibilities were taken into consideration, the gas buses ran at 8¢ a kilometre less than the diesel buses. This meant that the savings for that bus fleet over its lifetime were over \$100m. This State is about to throw away more than that amount of money, because we will not be buying the new electronic fuel injection gas buses, which are even more efficient than those in New

South Wales. That is another huge waste of money, and another example of bad management. We must remember that that will also add to pollution.

The planned widening of the Narrows Bridge is one of the biggest planning disasters of all time, because clearly the problem with the planning of Perth is that all roads lead to the city. We need to regionalise our traffic and stop having everyone go to the same car parks in Perth, because unless we do that, we will continue to have traffic jams that stretch as far as the eye can see, no matter how wide we make the bridges. We need to get people out of their vehicles - not the people in Rockingham, but the people immediately south of the river. If we do that by getting them onto rail, we need to put the rail line through the most populated areas - South Perth, not Kenwick - as is currently the case with the freeway. We also need to get rid of the east-west traffic, which comprises the majority of the traffic in the southern corridor, which is something that our planners do not seem to realise. In order to do that, we need to have a hybrid system that runs south from Fremantle and links the Fremantle line via South Street, Canning Highway and other major roads running east-west south of the river. In this way, we would not have to build more lanes on the Narrows Bridge, we would reduce the cost of transport in this State vastly, we would reduce the amount of air pollution, and people would be able to travel more efficiently and with fewer accidents. Currently, accidents cost us well over \$1b per year.

This Government does not have the answers. It is doing all the wrong things with regard to transport. It is going in the opposite direction of most nations and most cities, which are coming to grips with the fact that no matter how many roads are built, we will never solve the traffic problem that way. A royal commission in the United Kingdom has found that even if we spent our entire Budget on roads, we would not solve the traffic problem. The studies in the United Kingdom have found that the way to prevent traffic jams is to get rid of some of the major roads. They found when they took away important roads, such as the road over Hammersmith Bridge, there was a permanent reduction in the amount of traffic, and the amount of traffic that flowed onto other roads was reduced by between 21 and 60 per cent. Studies all over the world support that finding. The reason is that today, not all people need to travel to work, because they can use communications technology, or if they do need to travel to work, they can use public transport.

Another example of where this Government is wasting hundreds of millions of dollars is our taxation system. Because of the situation that we are in with the Federal Government, and because proper taxing arrangements are not in place, we are making terrible mistakes in what we tax. For example, we are broadening the payroll tax base. It is all very well to broaden it in order to keep down the costs for individuals, but what we are doing is lifting the compliance costs of taxation, which is the main concern of small business.

Secondly, we are increasing the tax that is payable on the sale of a house. That is an incredibly inflationary thing to do, because people pay for it many times over. They pay for it when they take out a mortgage, because they have to keep paying the interest on that over and over again. It is a stupid tax, it is very inflationary, and it will push up the price of housing in this State. If we get a GST as well, people will really cop it in the neck with regard to being able to buy a house.

The Government has also been wasteful with regard to some of the legislation that it has failed to bring into this place. The Standing Committee on Delegated Legislation recommended in a report that the Government introduce a Bill that required regulatory impact statements to be made for regulations. The Attorney General virtually dismissed that out of hand, because he said it would cost money, and he did not like the idea of powers being passed from the Parliament to the courts. In fact, that proposed Bill was all about ensuring that the Parliament, not the Executive, made the decisions, and that public servants did not put things forward in the guise of rules, when they were really regulations, simply by using the wrong terminology, and thereby deny the Parliament its proper role of scrutiny.

Victoria has put in place such a regulatory program, where regulatory impact statements must be provided, and where a special unit examines those regulatory impact statements. That has greatly reduced the number of regulations that come into the Parliament, and it has saved that State a vast amount of money. The workload of the Delegated Legislation Committee in this State is double that in Victoria, which must deal with a much greater number of situations. That demonstrates the inefficiency of this Government, and how it is prepared to waste a lot of money and still not get good regulations. Victoria is tackling this matter properly and is getting much better regulations; it is saving money and the Parliament is more accountable. I ask the Attorney General not to have a knee-jerk reaction but to look again at the proposal to introduce such legislation, because that will save us a considerable amount of both money and work.

I am concerned that we are not considering doing something about reducing greenhouse gases in this State. We are set for a huge rise. We have a great opportunity to link land care and greenhouse gas emissions. Many large carbon producing companies are looking to invest money in carbon credits or carbon sinks in order to offset their carbon production. We are not dealing with that. In the United States carbon credits are listed on the stock exchange as a

commodity. They are the hottest selling commodity on the stock exchange. This State has the opportunity to establish commercial tree crops in the rural areas and be paid twice for them. The State can be paid for the production and for the carbon credits and, at the same time, reduce salinity. It is a win, win, win situation. It becomes even more of a win situation if some of that money goes towards downstream infrastructure to extract oils from the mallee, for instance. We can do many other things in our country areas that will provide jobs and opportunities, stop the drain of people from country areas into the city and provide young people with jobs. I want to see the Government be a bit more imaginative about a sustainable future in this State because it is letting down the people of the future. We will end up digging holes, extracting things and being the neocolonialist model for everybody to avoid. I do not support this motion.

Debate adjourned, on motion by Hon Muriel Patterson

ADJOURNMENT OF THE HOUSE

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.52 pm]: I move -

That the House do now adjourn.

Scarborough Senior High School Closure - Adjournment Debate

HON E.R.J. DERMER (North Metropolitan) [4.52 pm]: Before the House adjourns I would like to deal with a number of matters pertaining to Scarborough Senior High School. In *The West Australian* this week we read that the Minister for Education hinted that Scarborough Senior High will close. This raises a very serious question: What will happen to the 300-odd students who are currently enrolled at Scarborough Senior High School? It will probably close next year and what will happen to the 300-odd students who would otherwise be enrolled at Scarborough Senior High School in 1999? The closest school to Scarborough Senior High School is Carine Senior High School which currently has an enrolment of 1 424 students. That is 124 more than the 1 300 students for which it was originally built.

Hon Simon O'Brien: How far away is that from Scarborough?

Hon E.R.J. DERMER: As I say, it is the closest school to Scarborough.

Hon Simon O'Brien: I honestly do not know; it is in the far north, is it not?

Hon E.R.J. DERMER: That is right. However, the closest school to Scarborough is in Carine.

Hon Simon O'Brien: How many miles would it be?

Hon E.R.J. DERMER: Mr President, I should not have been distracted by the interjection -

The PRESIDENT: Order members! Let us slow down a bit. Hon Ed Dermer has the floor and he is the one who is meant to be speaking.

Hon E.R.J. DERMER: The decision to close Scarborough Senior High School could mean that the student population at Carine Senior High School will increase to more than 1 700. That would be 30 per cent more than the school was originally designed to accommodate. The problem is that, although the extra students can be accommodated through demountable classrooms, the essential services in the school would have been designed to accommodate the original 1 300 students. The most important of those are the toilet facilities for the students, but there are other essential facilities.

Hon Ken Travers: Playground equipment.

The PRESIDENT: Order! Hon Ed Dermer has the floor.

Hon E.R.J. DERMER: All of the essential facilities, which are not classrooms, were designed for 1 300 students; they are currently straining with 1 424 students to the best of my knowledge. I say to the best of my knowledge because I have endeavoured through questions in this House to find out exactly what the story is but I have been unsuccessful. Many times I have reached the conclusion that the Ministers in this House and the Ministers they represent in the Assembly do not have due respect for this Parliament and certainly do not have the due respect to provide substantial answers to questions. I have a serious concern and responsibility as a representative in this House of the North Metropolitan Region. So far I have established that the Carine high school originally was designed for 1 300 students. It currently has 1 424 students with the potential to have 1 700 students next year. This is a very serious question and it is my duty to ask it on behalf of the people of North Metropolitan particularly the parents, families and students at Carine. In the House, I asked -

Will the Minister confirm that the provision of toilet and other general service facilities for the students

currently enrolled at Carine Senior High School is consistent with the requirements of all appropriate health regulations?

That was part of a question that I gave some notice of on 20 May 1998. With half a hour of question time and a vigorous Parliament seeking to ask questions I was not able to ask that question before Tuesday of this week, some 20 days later. I thought there was some advantage of not being able to ask the question for that long. I was sure that I would get a substantial answer. I hoped that the Minister for Education could say clearly that all of the schools in Western Australia met health regulations at all times. It should be the Minister's duty to ensure that he knows that each school in Western Australia has facilities consistent with health regulations. I was astounded and gravely disappointed when it was suggested that that particular question should then go on further notice after 20 days of some notice having been given of the question.

How can the Minister for Education look the public in the eye and say that he is doing his duty as a Minister of the Crown when he cannot give an immediate assurance that every school has facilities - most importantly, from a health perspective, toilet facilities - consistent with the health regulations? I imagine the regulations would be Health Department and local government. However, I very clearly asked a question. I wanted an assurance, quite naturally, that the facilities at Carine were consistent with all health regulations. The Minister had 20 days' notice until last Tuesday. I was looking forward to the answer, looking forward to returning to my constituents and those children at Carine and saying, "Yes, our Minister has confirmed that those strained facilities at Carine Senior High School have been enhanced and within the parameters of the health regulations they can accommodate 1 424 students." That should have been an automatic answer from the Minister.

In the end, after 20 days of some notice being given the Minister requested that the question be put on further notice. I come in daily and read the supplementary notice paper eagerly looking for the question. It was not there on Wednesday or Thursday. I have no option, Mr President. It is my duty to call the Minister to account, to make sure the Minister ensures that schools meet health regulations. If he will not give me an answer I have no option but to raise it before the House. I hope this raising will bring the Minister to an understanding of his responsibilities and bring an immediate assurance that the toilet facilities at Carine - which were designed for 1 300 students and are currently serving 1 424 students with the prospect of 1 700 students next year - are consistent with the vital health regulations.

Early this week in *The West Australian* the Minister for Education again demonstrated his contempt for public consultation. I am getting tired of needing to raise these matters over and over again. I have had occasion before to point out that last September the Minister made a farce of his own consultative process by saying that Scarborough Senior High School should probably close; he marked Scarborough Senior High School for extinction before the consultative process started.

The Minister cannot constrain himself; he cannot hold back from interfering in this consultative process. We read his comments in *The West Australian* this week. Just in case his marking of Scarborough Senior High School for extinction last September has not done the job, and the consultative process comes back with a strong demand for the retention of Scarborough High School - which is evident from the petitions, the polls in the local newspapers - and it insists on the retention of the Scarborough Senior High School, the Minister again tries through his insidious little pathway to undermine the school. As reported in *The West Australian* this week, the Minister hinted that Scarborough Senior High School should probably close. The Minister makes a farce of his own consultative process.

Western Mining Corporation - Emissions - Adjournment Debate

HON MARK NEVILL (Mining and Pastoral) [5.02 pm]: The House should not adjourn until I raise an important matter. On 21 May a headline appeared in the *Kalgoorlie Miner* which read "Charge against Western Mining Corporation thrown out of court". It was thrown out of court, in my view quite rightly, by Magistrate Boothman because the monitoring equipment that WMC Resources used did not comply with the national standards Act.

Hon Derrick Tomlinson: What was the charge?

Hon MARK NEVILL: I will get to that. The Department of Environmental Protection had only itself to blame for this charge being thrown out of court. I have heard today that the Department of Environmental Protection is appealing against that decision. A more pragmatic and sensible approach would be for the department to amend the Environmental Protection Act to deem that readings on monitoring devices should comply with Australian standards. That has happened in the case of Multanovas and breathalysers. The process is very simple. WMC Resources' sulphur dioxide emissions were alleged to have exceeded 1 300 micrograms per cubic metre over a three hour period on 12 June 1996. There was no exceeding of the limit for two years prior to that and two years subsequent to that. With current technology, where we have a dramatic wind shift which will occur probably once every three or four years, WMC Resources will be caught. The smelter will not be able to predict that movement and the limit will be

exceeded. The exceeding of the limit occurred one month before a \$170m acid plant treatment was completed. That was put in to lower sulphur dioxide emissions. WMC Resources spent \$2.5m accelerating the program to build the acid plant to reduce sulphur emissions. It was completed in July, as I said, one month after the breach.

In the period before and during the smelter construction, WMC Resources lost between \$30m and \$40m in production by shutting down the smelter whenever the wind tended to show that the plume might drift over Kalgoorlie. That is the sort of capital it has put into reducing sulphur dioxide emissions around Kalgoorlie. On the day it discovered that there had been a very unfavourable change in the weather conditions, it immediately shut down the smelter. In committing the breach, there is no suggestion by anyone that WMC Resources acted with intent or that it was negligent. Some 10 months after the acid plant was built and was operating and reducing sulphur dioxide emissions, the charge was laid. That plant has reduced sulphur dioxide levels dramatically. WMC Resources has subsequently spent \$25m installing converter hoods, which means that sulphur dioxide emission levels are virtually nil compared to levels of three or four years ago.

WMC Resources has also announced that it will upgrade its air quality system to monitor upper wind conditions. This is not to monitor sulphur dioxide emissions, which are negligible, but basically the plume. WMC Resources is installing an advanced radar system to detect upper level atmospheric conditions. When the system is installed, plume measurements will be taken every two hours instead of once a day. As I have said, there has not been a breach with emissions for the past two years. What is the point of all this? WMC Resources has done the right thing. It should not have been charged in the first place. The Government should amend the Act to ensure that these monitoring devices are lawful. It would be a very simple solution to the problem.

If the rumour that I have heard today that there will be an appeal against the decision is correct, that is absolutely disgraceful. I hope I am wrong. The company has acted responsibly and done the right thing. If the department is to pursue this course of action, if the information is correct, it should be condemned.

Foods Genetic Manipulation - Adjournment Debate

HON NORM KELLY (East Metropolitan) [5.07 pm]: A public health issue which is of growing concern to a number of Western Australians and Australians is the genetic manipulation of foods, which is becoming more widely prevalent all the time. There are concerns that we do not have adequate safeguards for the introduction of such foods. A classic example of this is the development of soy bean products, particularly the work done by Monsanto Australia Limited in developing a soy bean plant which is more highly resistant to the application of the herbicide Roundup. This means that farmers can increase their doses of Roundup on a soy bean plantation. There will be a larger use of these herbicides because we have a new genetically manipulated plant which can take those higher doses. Monsanto is the manufacturer of Roundup, so it has an interest in increasing the sales of its other products. That is the main driving force behind developing these different kinds of products.

I will not go too far into the argument about the long term dangers in having foods that are a genetic variant of the original product. However, it is important that as consumers we become aware of the products that we are eating. In that way, the consumer can decide whether to have those foods. There is concern that the Australia-New Zealand food authority, which is looking at the issue of the labelling of genetically modified foods, is not going far enough in what it regards as sufficient labelling. There is an argument that the term "substantially equivalent to the original food" is not a good enough test to decide whether labelling should occur. We could have a tomato plant which is genetically modified to ensure that it can resist colder weather. Genetic manipulation could be done by the transplanting of genes from animals or fish into a tomato plant. A lot of vegetarians would say that they want to know whether the vegetable products they are eating contain animal genes. By labelling the products, people can make that choice themselves. We must look at this as an important issue, not only in respect of the health aspects of what may lie in store in the future but also, and more importantly, from the perspective of consumer protection, so that the consumer is aware of what he is eating and can make an informed choice. We may find that because of genetic manipulation we have far better products, so that a genetically modified product will become more successful.

At least we can make that determination, and consumers have that choice. Interjections indicate interest in this matter, and a forum is to be held at the University of Western Australia on Sunday afternoon specifically on this issue. It will continue to increase as a matter of public interest in years to come. I remember in the lead-up to the last state election, we were able to get Labor, Liberal, Democrats and Greens candidates around the table to discuss its future implications. That included the Minister for Health, the shadow Minister and me.

Regional Forest Agreement - Adjournment Debate

Hon NORM KELLY: I raise a subject which has been debated in this place this week; that is, forestry in the south west. Members might recall that I asked a question, through the Minister for Finance, of the Minister for the Environment about logging Dombakup 24, west of Northcliffe. In a Dorothy Dix yesterday the Minister for Finance

went into some detail regarding the possible impact of discontinuing logging in that area. He referred to 38 per cent of the Northcliffe work force being employed in the timber industry. These statistics, of which I have a copy, were circulated by people involved in the social impact side of the regional forest agreement process, but the information is flawed - it contains a large number of mistakes. It talks about town population, as opposed to local district population, yet the sawmill statistics relate to the district rather than the town. A manipulation of figures has taken place. I encourage the Minister for the Environment to be sure of her facts before presenting figures in this way.

Given that I made an adjournment debate speech at 10 o'clock on Tuesday night, although the Minister has been absent, it was possible during question time yesterday to respond to the comments I made on statistics regarding forestry employment in the south west. Nevertheless, at the same time, I placed a question on notice on 18 March regarding employment in the RFA. I still await an answer. I placed on notice these questions: How many people are employed in the tourism industry in the entire RFA area? Why is this figure not included in the comprehensive regional assessment? Also, the CRA stated that approximately 1 900 people are directly employed in the native hardwood industry in the RFA region. I asked for a breakdown of the figure according to employment categories.

As we are into the public submission consultation phase of the RFA, people want the answers to these questions. They want to make an assessment before making a submission on the RFA process. Although reference is made in the CRA document to these matters, these questions are still to be answered. I am concerned that if we maintain the RFA time frame, with public submissions closing on 10 July, and the tip is that it will be signed off by mid-August, this agreement will be signed before the public has had access to all the figures. The Minister should start to answer these questions or delay the signing of the RFA until the answers are available.

Main Roads Contracts - Adjournment Debate

HON LJILJANNA RAVLICH (East Metropolitan) [5.15 pm]: I bring to the attention of the House my concern about this Government's snubbing of taxpayers by failing to provide relevant information on contracts, particularly regarding the Northbridge bypass project. Last week, responses were provided to 19 questions I put on notice; however, 18 of the questions were not answered. This Tuesday, on the Supplementary Notice Paper, I received 41 responses to questions on notice which sought information regarding the Northbridge tunnel. Of those questions, 41 were unanswered.

If this place is about accountability, the Minister for Transport is failing not only the members of this place but also Western Australian taxpayers. The Minister rejects the argument that the project has a \$72m cost overrun, but how on earth can we make an accurate assessment when non-government members cannot obtain any information on the contracts?

Hon Simon O'Brien: What do you mean, you got them back?

Hon LJILJANNA RAVLICH: The response was that the Minister was not prepared to continue to have Main Roads commit scarce resources to collate the details required. The questions related to 41 contracts worth \$10m. The information I sought was simple. For example, contract No 334/95 was to construct and widen the intersection of Great Eastern Highway and Orrong Road. The contractor was Boulderstone Hornibrook and the work was due for completion in 1997 at a cost of \$9.2m. This was to be a lump sum payment to the engineering company.

The other 40 questions were in relation to smaller contracts. Nevertheless, the same sort of principle was involved. Regarding those 41 contracts I asked: What was the total amount paid for the contract? The contracts are complete. What was the variation of the amount originally tendered; if there is a variation, what is the reason for the variation? The Government knows how much the contract was for, and how much was paid if it was completed. The contracts came in either under or over the tender figure. I thought that that was a simple set of questions.

Hon Kim Chance: They sound like fair questions to me.

Hon LJILJANNA RAVLICH: They are not onerous. This information should be readily at hand for Western Australian taxpayers. It does not need a massive team of workers in Main Roads to provide the information.

Hon Kim Chance: Do you think their failure to answer the question is an indication that they do not know the answer?

Hon LJILJANNA RAVLICH: Either that or Main Roads does not want the cost overruns known publicly.

Hon Kim Chance: It is either one of the two.

Hon LJILJANNA RAVLICH: I challenge the Minister to give me information to prove that cost overruns have not occurred. His failure to respond indicates that major problems exist with the contracts. He is keeping quiet. The answers he provided are not acceptable.

Hon Kim Chance: Are you referring it to the finance committee?

Hon LJILJANNA RAVLICH: I will definitely be referring the matter to the Standing Committee on Estimates and Financial Operations. Also, if Main Roads cannot provide simple information in relation to 41 contracts because it does not have the resources, why is it continuing to downsize? One cannot downsize to the point that the department no longer is accountable under the Westminster system. Under the Westminster system, the Government must provide the resources and make sure that questions asked on behalf of Western Australian taxpayers can be answered. I will be referring these issues to the Standing Committee on Estimates and Financial Operations. The Minister would have been better off giving me the information in the first place rather than forcing my hand.

Hon Ken Travers: That was silly.

Hon LJILJANNA RAVLICH: Why is the Minister consistently refusing to answer questions about the costs of contracts for the northern bypass project - specifically the 41 questions to which I referred and the 19 of last week? Is this information available on the contracts, many of which are complete? If it is available, I want it; if not, I want to know why. If it is available, does the Minister's failure to respond indicate major cost overruns on the contract have occurred? If not, why will he not provide Western Australian taxpayers with the relevant information?

This is an area of concern for me in the light of my responsibility for the area of public sector management. It indicates a much bigger problem than just the Minister's lack of response. I heard my colleague Hon Ed Dermer say that he was having problems getting information on education. Maybe the Education Department has downsized to the point where it no longer thinks it is accountable. Will it too shrug off our questions by saying it does not have the resources?

Many problems are associated with the bypass project but the Minister has denied them. He says that all is going well. We know from today's *The West Australian* that union workers on the tunnel are being victimised. The Minister denies safety problems have arisen with the tunnel. Workers reporting accidents are being penalised and their productivity allowance of \$70 is being taken away from them.

The Minister also denies problems have arisen with houses damaged as a result of the tunnel. Only yesterday the Minister said he would start looking into the problem. I am a member of the public and I have known for the past 18 months about the cracks in houses caused by work on the Northbridge tunnel. The Minister has denied a blow-out in expenditure has occurred on the tunnel from \$335m in the 1995 Budget to \$407m in this year's Budget. The Minister is simply snubbing the Western Australian public. He has his head in the sand and does not want to know about the problems. He is buying time. This Minister's strategy is to avoid being accountable until he resigns.

Hon N.F. Moore interjected.

The PRESIDENT: Order! This is a limited debate. It will finish at 5.25 pm so I do not want interjections.

Hon LJILJANNA RAVLICH: People like the Leader of the House will have to carry the can for the Minister for Transport because he is not being up-front, nor is he honouring his commitment according to the requirements of the Westminster system, and the Leader of the House knows it.

Hon N.F. Moore: He has done an excellent job.

Hon Kim Chance: He might be a nice fellow, but -

Health System - Adjournment Debate

HON JOHN HALDEN (South Metropolitan) [5.23 pm]: I raise some issues relating to the Health portfolio, particularly the nurses' dispute. Today I was visited by two nurses who work at Fremantle Hospital. They are members of the Australian Nurses Federation and described themselves as not being radicals but people who wanted to put forward their view on not only this industrial dispute but also the crisis in Fremantle Hospital and in our health system.

What disturbed me most was the workplace agreement they will be offered from 1 July. After 1 July not only new nurses but also those who transfer from one hospital to another and those who are promoted will have no choice but to sign a workplace agreement. In spite of the promises we heard in this place by the Attorney General, they will have no choice. It is a dictatorial system which demands of people that they sign workplace agreements. I have a copy of the nurses' workplace agreement if anyone wants me to table it. It offers an 11 per cent pay rise over three years. More important - this should be considered in the light of the consequences if a nurse gets it wrong - nurses' compulsory break between shifts will be reduced to 7.5 hours. Members should think of the consequences of that on a person whose survival may be in grave jeopardy.

Hon Kim Chance: That could be after a 12-hour shift.

Hon JOHN HALDEN: It would most definitely be after a 10-hour shift.

Hon Kim Chance: It is a disgrace.

Hon JOHN HALDEN: They will not be allowed to have accrued days off. People may think accrued days off are a bonus to nurses, but they are not. They work 40 hours a week and are paid for 36 hours. They take off the extra hours, in agreement with management, when they choose. They are not bonus days or holidays. They are days of recuperation earned as a result of extra hours worked. They are not hours given to them for nothing. Nonetheless they will be abolished.

The workplace agreements will be valid until 2001. If the workplace agreements are not re-signed by 2001 the nurses will revert to the 1994 enterprise bargaining agreement. Can members imagine the level of pay under the 1994 EBA compared with rates of pay in 2001? Members opposite are a goddamned disgrace for allowing this situation to occur.

The PRESIDENT: Order!

Hon JOHN HALDEN: Our health system deserves better and our nurses deserve better. Members opposite have an obligation to go to their colleagues in Cabinet and get it fixed.

Question put and passed.

House adjourned at 5.26 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

SEWER SYSTEM CONTRACT, DENHAM

1653. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

I refer to the contract awarded to provide a sewer system in Denham -

- (1) What was the difference in value of the winning contract and the next highest tenderer?
- (2) What was the value of local content in the winning tenders bid?
- (3) What was the value of local content in the next highest tenders bid?
- (4) Did either bid meet the requirements to be granted a local preference in the tender process?
- (5) If yes, what was the value of local preference considered?
- (6) Was any consideration made of the local social or economic impacts of any of the tender bids?

Hon MAX EVANS replied:

- (1) As reported in the Midwest Times, the difference in the value of the two lowest tenders was approximately \$650.
- (2)-(3) The actual value of the local content of each tender is a matter of commercial confidentiality. In regard to the question of local content, the Water Corporation's bid matched that of the next lowest tenderer for purposes of regional preference.
- (4) No, as neither applied for regional preference.
- (5) Not applicable.
- (6) Tender analysis conformed with State Supply Policy.

TRAINING, DEPARTMENT OF
Reconciliation of General Ledger

1692. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Employment and Training:

Page 44 of the Auditor General's report on Ministerial Portfolios identified large discrepancies in the Department of Training's reconciliation of general ledger to supporting records of bank accounts, due to lack of reconciliation throughout the year -

- (1) Who is responsible to ensure the reconciliations are completed accurately within the Department of Training?
- (2) What policies have been put in place to ensure this accounting function is performed correctly and accurately in future?

Hon N.F. MOORE replied:

- (1) Principal Accounting Officer.
- (2) The matter raised by the Auditor General related to bank account records for the period 1 January 1997 - 30 June 1997 for the former College of Customised Training (CCT). The period was one of transition, as the former CCT became a division of the Western Australian Department of Training on 1 January 1997 under the provisions of the *Vocational Education and Training Act 1996*. Prior to this CCT was a statutory authority with its own Annual Reporting procedures.

The Department has corrected this transitional problem and has initiated an ongoing reconciliation process to prevent any recurrence.

STUDENTS' MODULE COMPLETION RATES

1698. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Employment and Training:

Page 44 of the Auditor General's report on Ministerial Portfolios states that the module completion rates of students assessed as passed is overstated -

- (1) On what basis was it decided to classify a student as "no assessment - studies not yet completed", when in the past the grade was referred to as failed?
- (2) Who was responsible for the decision to change this classification?
- (3) In future years, will students who fail be classified as failed or no assessment?

Hon N.F. MOORE replied:

The statement on page 44 of the Auditor General's report to which the Honorable Member's question refers, relates to the effectiveness indicator 'Module Load Completion Rate'.

- (1) The decision to classify a student as 'no assessment - studies not yet completed' rather than 'student assessed - fail', was taken in the context of the Australian National Training Authority Ministerial Council (ANTA MINCO) National Training Reform Agenda where it was agreed by all State, Territory and National Ministers to move to competency based assessment as a component of competency based training.
- (2) The Module Result Classification schedule has not changed. The Department of Training has changed the assignment of the result that may be achieved by a student enrolled in a module from one classification, namely 'student assessed - fail', to another, 'no assessment - studies not yet completed' to more accurately reflect the underlying philosophy of competency based training. To address the Auditor General's qualification of the "Module Load Completion Rate" indicator, the manner in which this category is treated in the formula used to derive the indicator will be amended to prevent the rate being overstated.
- (3) Students who have not completed a module (including those who might previously have been recorded as 'fail') will continue to be classified as 'no assessment - studies not yet completed'.

DRAINAGE CONTRACTS IN PERTH

1793. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) What drainage work is the Water Corporation carrying out in the Perth metropolitan area this financial year?
- (2) In each project, who is carrying out the work for the Water Corporation?

Hon MAX EVANS replied:

- (1)-(2) Drainage work undertaken by the Water Corporation and its contractors in the Perth metropolitan area in 1997/98 is tabled. [See Paper No 1684.]

INFILL SEWERAGE PROGRAM, MYAREE

1794. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

I refer to the infill sewerage program conducted in and around the intersection of North Lake Road and Marmion Street Myaree and completed earlier this year -

- (1) What was the value of the tender awarded for this job?
- (2) Was the final amount paid to the contractor the same as the amount for which the tender was awarded?
- (3) If not, what was the difference?
- (4) What was the planned completion date?
- (5) What was the actual completion date?
- (6) Did the Water Corporation construction branch tender for this work?
- (7) If yes to (6) above, which tender was the lower and what was the difference between the construction branch's tender and the successful tender?

Hon MAX EVANS replied:

- (1) Schedule of rates contract \$1,066,377.
- (2) No.
- (3) \$205,929.
- (4) 2 December 1997.
- (5) 16 March 1998.
- (6) Yes.
- (7) Construction Branch's tender was higher than awarded contract. Information concerning individual tenderer's prices is commercially confidential.

WATER CORPORATION'S CONSTRUCTION TENDERS

1796. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) What construction works over the value of \$50 000 is the Water Corporation carrying out this financial year?
- (2) Who are the successful tenders for each job awarded so far this financial year?
- (3) Which of these jobs did the Water Corporation construction branch tender for?
- (4) For each job in which the construction branch did not win the tender were they the lowest quote?
- (5) If yes, what was the reason that they were unsuccessful?
- (6) For each job in which the construction branch was successful was theirs the lowest quote?
- (7) If no, what was the reason that they were successful?

Hon MAX EVANS replied:

- (1) 121.
- (2) Tender Results, including Untendered Work to Construction Branch, are tabled. [See Paper No 1685.]
- (3) Construction Branch Tenders are tabled [See Paper No 1685.]
- (4) No.
- (5) Not applicable.
- (6) Yes.
- (7) Not applicable.

INFILL SEWERAGE CONTRACTS COMPLETED

1797. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) How many infill sewerage projects have been completed since January 1997?
- (2) How many of these were completed after the planned completion date and why?
- (3) How many had to have work corrected before the Water Corporation would accept them?
- (4) How many complaints has the Water Corporation received concerning poor quality work by infill sewerage contractors?
- (5) How many complaints has the Water Corporation received concerning infill sewerage projects not being completed on time?

Hon MAX EVANS replied:

- (1) 80.
- (2) Approximately 12% of Infill Sewerage Contract Projects have been completed outside the contractual period, for a variety of reasons.

- (3) Nil. All work is completed to contractual standards before accepted. However, one contractor did not complete two contracts after the company failed. These works were taken over and are being completed by other companies.
- (4) Exact records are not possible due to the method and nature of infill works. Approximately 5% of customers make contact during the construction phase expressing some concerns.
- (5) Not recorded.

WATER CORPORATION

Agreements on Headworks Charges in North West and North East Corridors

1805. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) What is the average cost of housing blocks targeted at first home buyers in the North West Corridor and North East Corridor which are subject to a special agreement with the Water Corporation for headwork charges?
- (2) What is the average cost of housing blocks targeted at first home buyers in the South West corridor not subject to a special agreement with the Water Corporation headwork charges?
- (3) Has the Water Corporation investigated what effect the special agreements have on the cost of land for new home buyers within the areas which they cover?
- (4) When does the Water Corporation expect that the special agreements on headworks charges in the North West and North East corridors will expire?

Hon MAX EVANS replied:

- (1) Information is not gathered on the cost of land targeted at first home buyers in areas subject to the North West Corridor and the North East Corridor special agreement areas.
- (2) Information is not gathered on the cost of land targeted at first home buyers in the South West Corridor of the Perth metropolitan area.
- (3) No.
- (4) The North West Corridor Special Agreement will terminate when 24,000 lots have been created (about 7,500 created to date). The North East Corridor Special Agreement Area will terminate when 30,000 lots have been created (about 1,900 created to date).

GASCOYNE AND ORD IRRIGATION AREAS

1808. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) What is the current position in regard to the Water Corporation meeting the COAG requirements for irrigation areas in the Gascoyne and Ord regions?
- (2) When is it expected that the ownership of these irrigation systems will be transferred to local control?

Hon MAX EVANS replied:

- (1)-(2) (i) *Ord River Irrigation Area Stage 1 (ORIA 1):*
The Operations and Maintenance of the Ord Irrigation Scheme was contracted out to the Ord Irrigation Co-Operative in April 1996. No date has been set for change of ownership.
- (ii) *Gascoyne Region (Carnarvon):*
On 1 January 1998, a semi-autonomous Business Unit of the Water Corporation was established for the water supply, wastewater and irrigation services of Carnarvon. The Carnarvon Water Services Committee (CWSC) comprising mostly community representatives has been set up to guide the Business Unit. The operation of the Carnarvon Business Unit will be reviewed by the end of 1999 to assess the options and viability of transfer to local ownership.

CARNARVON WATER SOURCES

1809. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) Is any agency currently examining alternative sources to meet the water needs for the Carnarvon town supply and irrigation areas?

- (2) If so, at what stage are these examinations up to and what areas are being examined?
- (3) If not, why not?

Hon MAX EVANS replied:

- (1) (a) The Water Corporation and the Water and Rivers Commission are currently investigating the feasibility of constructing artificial recharge beds within the Gascoyne river, upstream of the plantation area.
- (b) During 1997, the Water and Rivers Commission constructed trial sand dams within the plantation area to examine their stability in the augmentation of irrigation water supplies.
- (2) The proposed recharge bed project is presently in the planning stage. The Water and Rivers Commission is assessing potential sites for the trial recharge beds. Subject to feasibility and the identification of suitable sites, the Water Corporation will commence engineering investigations.
- Monitoring and assessment of the sand dams is ongoing.
- (3) Answered by (2).

GASCOYNE IRRIGATION AREA BORES

1810. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

How many bores in the Gascoyne irrigation area have been deregistered in the last two years because of the salt levels in the water?

Hon MAX EVANS replied:

- (1) Two.

WATER CORPORATION'S STATEMENT OF CORPORATE INTENT

1813. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) When did the Minister for Water Resources receive the Water Corporation's Statement of Corporate Intent for the 1997/98 financial year?
- (2) Why was it not agreed to until January 11, 1998?

Hon MAX EVANS replied:

- (1) The Minister for Water Resources received the Water Corporation's Statement of Corporate Intent for the 1997/98 financial year on 26 March 1997.
- (2) Agreement took until 11 January 1998 because of discussions concerning rates of return on assets, community service obligations and the Corporation's budget for 1997/98.

WATER CORPORATION'S STATEMENT OF CORPORATE INTENT

1814. Hon KEN TRAVERS to the Minister for Finance representing the Minister for Water Resources:

- (1) Has the Minister for Water Resources received from the Board of the Water Corporation a draft Statement of Corporate Intent for the 1998/99 financial year?
- (2) If yes, when did he receive it?

Hon MAX EVANS replied:

- (1) Yes.
- (2) The draft was received on 31 March 1998.

INDUSTRY TRAINING COUNCIL EXPENDITURE

1821. Hon HELEN HODGSON to the Leader of the House representing the Minister for Employment and Training:

- (1) What is the estimated actual expenditure for 1997/98 for each Industry Training Council ("ITC")?

- (2) What proportion of this expenditure was -
- (a) provided from Federal funds; and
(b) provided from State funds?
- (3) What is the 1998/99 Budget estimated expenditure for each ITC?
- (4) What proportion of this expenditure is estimated will come from -
- (a) Federal funds; and
(b) State funds?

Hon N.F. MOORE replied:

- (1) The 1997/98 Government budget allocation for each ITC was:

Industry Training Council	1997/98 Funding
Arts, Sport and Recreation	167 525
Automotive	Industry funded
Building and Construction	147 955
Community Services, Health and Education	190 613
Finance, Property and Business Services	167 525
Food	147 955
Hospitality and Tourism	147 955
Light Manufacturing	167 525
Metals, Manufacturing and Services	147 955
Minerals	Industry funded
Primary	190 613
Process Manufacturing	167 525
Public Administration	167 525
Wholesale, Retail and Personal Services	147 955
Transport and Storage	167 525
Utilities, Electrotechnology and Printing	167 525
<i>Other funding available to ITCs</i>	
Member Travel	60 000
Total	\$2 353 676

- (2) (a) 50.3% provided from Federal funds; and
(b) 49.7% provided from State funds.
- (3) The 1998/99 Budget estimated expenditure for industry training advisory services is \$2,350,000.
- (4) It is estimated that the proportion of Federal and State funds in the 1998/99 Budget will be similar to 1997/98.

QUESTIONS WITHOUT NOTICE

BYRON, MR GARY

Legal Proceedings

1653. Hon N.D. GRIFFITHS to the Attorney General:

- (1) Is the Attorney General, or any agency for which the Attorney General has ministerial responsibility, involved in any legal proceedings with Mr Gary Byron, the former chief executive officer of the Ministry of Justice?
- (2) Have any proceedings been threatened by Mr Gary Byron with respect to the persons to whom I have just referred?
- (3) What is the nature of such proceedings?

Hon PETER FOSS replied:

- (1) Not that I am aware of.
- (2) Yes.
- (3) Defamation.

GOODS AND SERVICES TAX

*Effect on Road Construction Costs***1654. Hon N.D. GRIFFITHS to the Minister for Transport:**

- (1) What assessment has been made of the potential increase in the cost of road construction under a goods and services tax?
- (2) Has an assessment been made of what road construction projects will be cut in the event of cost increases caused by a GST?
- (3) Which construction projects will be cut first?

Hon E.J. CHARLTON replied:

- (1)-(3) I would like to think that under the GST regime I would support, there would be more money for the sorts of things to which Hon Nick Griffiths refers.

ANTI-CORRUPTION COMMISSION

*Allegations of Serious Improper Conduct against ACC Members***1655. Hon NORM KELLY to the Attorney General representing the Minister for Police:**

- (1) Can the Minister confirm that the Commissioner of Police has received the letter described in yesterday's Legislative Council question without notice 1646?
- (2) If so, does the commissioner intend to have any or all of the allegations or matters contained in the letter investigated?
- (3) If the commissioner intends to have the matters investigated, will the investigations be carried out by officers of the Western Australia Police Service or by a non-Police Service agency?
- (4) Have investigations commenced and, if so, when did they commence?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2)-(3) Of the five specific issues raised in the letter, four fall within the area of responsibility of the Anti-Corruption Commission. The fifth issue is currently the subject of an ongoing internal review by the Police Service.
- (4) The internal review commenced in the latter part of 1997.

HARVEY DAM

1656. Hon MURIEL PATTERSON to the Minister representing the Minister for Water Resources:

- (1) Has the Government made a decision over the construction of the proposed new dam at Harvey?
- (2) If so, when is the construction likely to begin?
- (3) If not, is the department looking at alternative sites?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) Perth's water future strategy, released by the Water Corporation in 1995, identified Harvey basin as a potential water supply source for Perth, along with several other potential water sources. Any new dam for Harvey will be considered relative to its alternatives.

CARTON, MR KEVIN

Trip to New York

1657. Hon KEN TRAVERS to the Minister for Tourism:

According to the report on overseas travel recently tabled by the Premier, the Chairman of the Western Australian Tourism Commission, Mr Kevin Carton, flew to New York to meet a client to discuss the Brand WA commercials.

- (1) Which client did Mr Carton meet with in New York?
- (2) On what dates did Mr Carton meet with this client?
- (3) Did Mr Carton conduct any other business during this trip?
- (4) Will the Minister table Mr Carton's itinerary for the trip?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) Mr Carton met with Mr Stuart Cameron of Artistmanagement Associates Inc, Ms Macpherson's manager and their solicitors, Grubman Indursky and Schindler.
- (2) A meeting was arranged for the afternoon of Friday, 15 August in the office of Grubman Indursky and Schindler, and then again on Monday, 18 August. That evening Mr Carton met Stuart Cameron and Ms Macpherson for a dinner meeting.
- (3) Yes. Mr Carton undertook personal business from 19 to 27 August, as evidenced on the travel proposal which confirms that Mr Carton acknowledged that no additional costs would be borne by the WATC. He also advised that it was understood that during this extension of time he would not be covered by the WATC insurance policy.
- (4) Yes.

[See paper No 1683.]

McSHARER, MR WILLIAM

Aquaculture Licences

1658. Hon GIZ WATSON to the Minister representing the Minister for Fisheries:

Mr William McSharer of Cordil Holdings Pty Ltd has applied for a series of aquaculture licences at Lancelin, the Cervantes Islands and Green Islets. Respondents in the public consultation process for the licences report that Mr McSharer is inclined to use threats of violence, interference or litigation as standover tactics in his business dealings.

Has the Executive Director of Fisheries WA investigated the possible criminal and business record of Mr McSharer to satisfy himself that the applicant is a fit and proper person to hold an aquaculture licence, as required under section 92(1)(a) of the Fish Resources Management Act 1994?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. The Minister for Fisheries has requested that the question be placed on notice.

SCARBOROUGH SENIOR HIGH SCHOOL SITE VALUATION

1659. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Education:

I refer to the Minister's advice of 17 March 1998 that the private company Chesterton International had valued the land and buildings of the Scarborough Senior High School site at \$7.75m for highest and best use, assuming alternative appropriate zoning, and \$9.25m for continuing use for educational purposes.

- (1) Has the Minister received an explanation of how the highest and best use valuation can be significantly lower than the valuation for continuing use for educational purposes?
- (2) If not, why not?
- (3) If so, what is the explanation?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) Not applicable.
- (3) The highest and best valuation is based on a possible alternate use of the land. The Chesterton International highest and best valuation was based on rezoning to allow residential development. The valuation for continuing use is based on the property being restricted to educational purposes. In this valuation, an estimated value of the improvements made to the site of \$1.5m was added to the highest and best land value.

HEALTH TRAINING ADVISORY BOARD

1660. Hon KIM CHANCE to the Minister representing the Minister for Health:

- (1) How much has been allocated by the Health Department to its government health training advisory body?
- (2) What staff and other resources are to be allocated to the government health training advisory body?
- (3) Given that no other government department has established such a body, what is the rationale for the Health Department's decision?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The formation of the government health training advisory body will not require any additional investment of funds by the Health Department. Information pertaining to the education and training needs of government health will be coordinated through the existing position of Coordinator, Vocational Training and Education, which is located in the health workforce reform division.
- (2) The main responsibilities of the Coordinator, Vocational Training and Education involve the planning and prioritisation of vocational training and education for all occupations within the government health industry and coordination of the industry's strategic position on education and training reform issues. The role of the executive officer of this Training Advisory Board is only an extension of these responsibilities and will require no additional resources.
- (3) The proclamation of the Vocational Education and Training Act has empowered the State Training Board to recognise various industry training advisory bodies as bodies from which the board takes advice in relation to the preparation of a state training profile. Within this context, the Health Department is legally able to apply for recognition as an industry training advisory body, to provide direct strategic input into the VET system. Prior to the introduction of the VET Act, health industry input into the VET system had been almost exclusively through the Community Services, Health and Education Industry Training Council, which is currently chaired by Ms Helen Creed of the Miscellaneous Workers Union.

In June 1994 the government health employer representative and the majority of private employer representatives resigned from the Health ITC, which was the predecessor of the Community Services, Health and Education ITC. It was the employers' view that the Health ITC was overly concerned with industrial relations issues and was unable to discharge its major function in providing strategic advice on industry training needs. There were also some irreconcilable differences between the parties on a number of fundamental issues. Despite the withdrawal of the government health sector representative and the majority of employer representatives, the ITC continued to provide advice on the training needs of this sector to the State Training Board.

In September 1997 the situation was reviewed. The pace of national training reforms, emerging skill shortages and a need to provide continuing education for employees made it essential that the Health Department of Western Australia provide input to the VET system. At the time, the best option available to HDWA was to rejoin the Community Services, Health and Training Council.

This arrangement has not been completely satisfactory. Evidence still exists of a strong industrial focus in proceedings as well as unfounded criticism of the Western Australian Department of Training and some national training reforms. For example -

Several members interjected.

The PRESIDENT: Members are unduly delaying the Minister.

Hon MAX EVANS: Relationship with the training system: Since June 1997 no one person within the CSH and EITC has been responsible for dealing with health related issues. The size of the health industry and subsequently the large proportions of the State's work force who rely on this industry for employment make this situation untenable. In addition to this lack of focus on health, evidence exists that relationships between the SCH and EITC and training providers is quite poor. For example, there has been a complete breakdown of relationships between the Central Metropolitan College of TAFE, which currently provides training for enrolled nurses, and the CSH and EITC.

OLD SWAN BREWERY SITE

Applications to Alter Use

1661. Hon HELEN HODGSON to the Attorney General representing the Minister for Planning:

I refer to the answer to question without notice 1626 answered on 8 June 1998.

- (1) Has the WA Planning Commission received any application for approval to alter the use to which the old Swan Brewery site can be put?
- (2) Will the community, other than the City of Perth and other relevant authorities, have any opportunity to comment on such an application?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Any application to alter the use of the old Swan Brewery would be determined by the Western Australian Planning Commission, which would be responsible for undertaking such consultation as appropriate having regard to the context and planning implications of the proposal.

ABORIGINAL HERITAGE ACT

1662. Hon CHRISTINE SHARP to the Minister representing the Minister for Aboriginal Affairs:

- (1) Is there a draft of the proposed amendments to the WA Aboriginal Heritage Act of 1972?
- (2) If yes, are the amendments based on the Northern Territory model as was proposed by the joint Aboriginal Affairs Department and the Department of Minerals and Energy task force?
- (3) If yes, when will the proposed amendments be made available for public comment?
- (4) What was the role of the Ministry of the Premier and Cabinet in initiating and preparing the amendments

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) No; however, drafting instructions for an Aboriginal heritage Bill have been provided to parliamentary counsel.
- (2)-(3) Not applicable.
- (4) The Ministry of the Premier and Cabinet worked in conjunction with staff of the Aboriginal Affairs Department in preparing an initial set of draft instructions for a new Aboriginal heritage Bill.

AUSTRALIND BYPASS MEDIAN CROSSOVER

Park Mr, Gutteridge Haskins and Davey Pty Ltd

1663. Hon BOB THOMAS to the Minister for Transport:

With regard to the Australind bypass -

- (1) Has the Minister met with Mr Matthew Park, an engineer with Gutteridge, Haskins and Davey Pty Ltd, to discuss the median crossover issue
- (2) Did Mr Park present the Minister with plans or modifications to the egress and opening in the median strip at the Shell Gateway service station?

- (3) Have any qualified engineers from Main Roads Western Australia approved drawings for the median opening which were prepared by WML Consultants?
- (4) If so, were any Main Roads engineers or other staff members given an instruction to sign the drawings?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) Yes.
- (4) No.

ANIMAL WELFARE BILL

1664. Hon J.A. SCOTT to the Minister representing the Minister for Local Government:

- (1) What is the status of the Animal Welfare Bill?
- (2) Has it been approved by Cabinet?
- (3) When can I get a copy?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) It is proposed that Cabinet approve the release of a draft Bill for public comment.
- (2) No.
- (3) When it is released for public comment.

TAXIS

Peak Period Plate Holders

1665. Hon LJILJANNA RAVLICH to the Minister for Transport:

I refer to the Minister's announcement that the new peak period taxi plate holders would be required to be a member of a taxi dispatch service. Has the Minister sought legal advice on the effect this may have on operators and drivers who may as a result find themselves in a master-servant relationship with the taxi dispatch service and the effect this will have on taxation and superannuation?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

Advice from the Crown Solicitor's Office is that it is unlikely that a master-servant relationship would exist between taxi dispatch services and taxi operators and drivers. Therefore, the question is irrelevant.

I should add that the whole thrust of the new list of plates to go out is to achieve two things: Firstly, to give owners and drivers the opportunity to take up these plates and, secondly, to ensure that there is a direct relationship between when a customer phones in, he will be picked up on the booking of that call.

WANNEROO RACEWAY

Zoning of Land Surrounding

1666. Hon RAY HALLIGAN to the Attorney General representing the Minister for Planning:

- (1) What is the current land use zoning for the land surrounding the Wanneroo Raceway?
- (2) What is the minimum distance between the raceway and any future subdivisions?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Under the metropolitan region scheme, the Wanneroo Raceway is reserved for parks and recreation, the land to the east is reserved for parks and recreation, the land to the north is reserved for state forests and the land to the west and south is zoned industrial.

Under the City of Wanneroo town planning scheme No 1, the Wanneroo Raceway is reserved for parks and recreation, the land to the east is reserved for parks and recreation, the land to the north is reserved for state forests and the land to the west and south is zoned rural.

- (2) Any applications for the subdivision of the land surrounding the Wanneroo Raceway will be referred to the Environmental Protection Authority for its consideration and advice, prior to the Western Australian Planning Commission supporting any further subdivision of the surrounding land.

TRANSFORM WA

Aboriginal Communities

1667. Hon TOM HELM to the Minister for Transport:

I refer to the \$10m to be allocated for roads to service Aboriginal communities as part of the Transform WA package.

- (1) When will the first funds from this program be spent
- (2) Over what number of years is the \$10m to be allocated?
- (3) Is the \$10m to be allocated in addition to or merely replacing road funds provided through the Aboriginal Affairs Department?

Hon E.J. CHARLTON replied:

- (1)-(3) Beginning with the Budget for this financial year, the Transform WA program will go for 10 years. It is new money. It is on top of any existing moneys that have been made available. We must remember that local government authorities also have funds to assist with roadworks in Aboriginal communities, as well as state road funding.

CAUSEWAY, REDUCTION OF LANES

1668. Hon CHERYL DAVENPORT to the Minister for Transport:

I refer to the Government's plans to reduce the number of lanes on the causeway from six lanes to four, and to build a bus passenger transport facility at the eastern end of the causeway.

- (1) Will the Minister give a guarantee that local businesses will be compensated for any loss of income as a result of these changes?
- (2) If not, why not?

Hon E.J. CHARLTON replied:

- (1)-(2) First, an assessment would need to be made about whether any losses of income would occur for these businesses as a consequence of the proposed changes. The thrust of the 10 year better public transport plan, in association with the efficiencies of the road network, is about people being able to take advantage of using public transport and leaving their cars out of the city area. One of the initiatives from a policy point of view is to encourage people to leave their vehicles in an area where they can not only do their shopping, but also avail themselves of other services, rather than having to drive from the shops to another place to do another task. As part of the assessment, we will take those matters into consideration. As I have said before, we will consult with local businesses, as we do on these and other issues. If the member's constituents have any concerns about these proposed changes, I ask her to let me know what they are and we will sit down and talk about them.

MILPARA PSYCHIATRIC RESIDENTIAL REHABILITATION SERVICE

1669. Hon NORM KELLY to the Minister representing the Minister for Health:

- (1) When will the decisions regarding the relocation of the Milpara psychiatric residential rehabilitation service be finalised?
- (2) What financial commitment has been made in the 1998-99 Budget for the continuation of this service and is this money costed into the budget for the Fremantle Hospital and Health Service?

- (3) Will any costs related to the continuation of this service - for example, property leasing costs - be shifted onto consumers?
- (4) Will this service continue to provide respite crisis care and a residential education program?
- (5) If the service is to provide crisis care, will nursing staff be available, and will medical staff be on call after hours and over the weekends?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Services provided by Milpara will be relocated on 1 July 1998. A working group comprising service providers, consumers, carers, management and the mental health division is planning for the long term development of the services currently provided by Milpara.
- (2) The Budget for 1998-99 includes an allocation for the continuation of services currently provided by Milpara. The Fremantle Hospital and Health Service contract is being negotiated. A commitment has been made by the mental health division to fund the services provided by Milpara at the current level of funding.
- (3) Potential costs to consumers will be one feature taken into account during the planning process.
- (4) Planning and consultation within the south west metropolitan corridor have indicated the need to provide respite care, crisis care and rehabilitation programs. It is the intention of the mental health division to purchase these types of services in the south west metropolitan corridor.
- (5) The detailed models for service delivery are now being developed by the working group. The group has a mandate to advise the mental health division of appropriate models.

SEALED ROADS, CONSTRUCTION COSTS

1670. Hon JOHN HALDEN to the Minister for Transport:

Can the Minister advise the cost of construction of a kilometre of sealed road in 1993, 1994, 1995, 1996, and 1997, and the expected cost in 1998?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. The cost of a kilometre of sealed road as shown in the 1997 annual report of Main Roads Western Australia is as follows. In 1991-92 a figure is not available for the metropolitan area; however, for rural areas it was \$250 000. In 1992-93 the cost in the metropolitan area was \$443 000, and in rural areas it was \$160 000. In 1993-94 the figure for the metropolitan area is not available, but for rural areas it was \$189 000. In 1994-95 the figure is \$562 000 for the metropolitan area and \$175 000 in rural areas. In 1995-96 the figure is not available for the metropolitan area, but in rural areas it was \$169 000. Finally, in 1996-97 the cost for the metropolitan area was \$1.012m and \$193 000 in rural areas. These figures are indexed to 1997 prices.

Due to the nature of new construction projects in the metropolitan area, and the fact that a significant number of projects were constructed over more than one financial year, data is not available for some years. The cost of road construction varies considerably due to numerous factors and, therefore, the figures do not represent any trend in the annual cost for road construction from one year to the next.

From my limited experience in this exercise, I would not have given any figures at all. They are inaccurate and totally misleading. It depends on the given year in which the projects take place. In the next three or four years the Graham Farmer Freeway will be constructed; the Narrows Bridge will be widened; and interchanges will be put in along the Kwinana Freeway. Each of those projects will cost between \$6m and \$7m. The average price per kilometre for the extension of the Kwinana Freeway will be different from the average price per kilometre for the extension of the Tonkin Highway. The Tonkin Highway is likely to be extended by the construction of a single lane in each direction for a start and the following year another lane will be added.

Because of these sorts of things, there will be large distortions in the figures. I want to give the member an honest and sincere response with accurate figures. However, the figures I have given are fairly elastic. To come up with an accurate figure, we should pick one section of road and work out what that cost is in 1992, and then contrast that with the costs that have occurred when tenders have been called on the same piece of road. If the member wishes, I could do that exercise for him.

LOCAL AREA EDUCATION PLANNING, WESTERN SUBURBS

1671. Hon E.R.J. DERMER to the Leader of the House representing the Minister for Education:

- (1) Has the Minister developed a contingency plan in the western suburbs local education planning area for a new high school when increased demand requires the establishment of a new high school?
- (2) If not, why not?
- (3) If so, what is the estimated cost of establishing such a high school to accommodate between 800 and 1 000 students in five years' time and 10 years' time, respectively, including the cost of the land required for establishing a school?
- (4) What proportion of the money realised by any sale of current high schools in the western suburbs local education planning area will be set aside to meet the possible future need for a new school in this area?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1)-(2) No decision has yet been made on local area education planning in the western suburbs. The final outcome of the LAEP process will take into account possible future changes in the student population in the western suburbs and will ensure the optimal educational results for students now and into the future. A decision on this matter is expected later this month.
- (3)-(4) Not applicable.

MINING TENEMENTS, MINIMUM ANNUAL EXPENDITURE

1672. Hon GIZ WATSON to the Minister for Mines:

What are the annual minimum or maximum expenditures, by area, required by the Department of Minerals and Energy for leaseholders of a mining lease; a mineral claim; a temporary reserve; an exploration lease; and a prospecting lease?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. The minimum annual expenditure requirements on mining tenements are as follows. For a mining lease the expenditure rate is \$100 per hectare, with minimums of \$5 000 if it is five hectares or less, or \$10 000 in excess of five hectares. For a mineral claim there is no expenditure requirement pursuant to the Mining Act, subject to labour conditions. No expenditure requirement is necessary for a temporary reserve, pursuant to the Mining Act. For a non-graticular exploration licence the expenditure rate is \$300 per square kilometre, with a minimum of \$20 000. For a graticular exploration licence the expenditure rate is \$900 per block, with minimums of \$10 000 for one block; \$15 000 for two blocks; and \$20 000 for more than two blocks. For an extension of a term of six and seven years, the figure is \$50 000 per annum, and thereafter \$100 000 per annum. For a prospecting licence, the expenditure rate is \$40 per hectare with a minimum of \$2 000.

GIANOLI, MR PETER

*Study into Athletics Headquarters***1673. Hon KEN TRAVERS to the Minister for Sport and Recreation:**

- (1) Can the Minister confirm that Peter Gianoli was a director of a company called Canada Holdings which carried out a study into a new athletics headquarters for WA?
- (2) When was this study commissioned?
- (3) When was the study concluded?
- (4) Will the Minister table a copy of this study?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) 17 December 1997.
- (3) 1 May 1998.

- (4) The report was commissioned by Athletica and is the property of that organisation, so it is not appropriate for me to table it.

Hon Ken Travers: Who paid for it?

Hon N.F. MOORE: It was a three way expenditure by Curtin University of Technology, Athletica and a community sporting and recreational facilities fund grant. The report is owned by the people who commissioned that study, and even though support was provided by the Government it still remains their property.

There is still an element of natural justice in this society that assumes a person is innocent until proved guilty. I find the innuendos made about a person prior to that person being found guilty of anything to be reprehensible. I suggest that the member asking the question and the shadow Minister for Sport and Recreation look at people in the past who lost money and who caused money to be lost to see how many of them are still sitting in Parliament and to reflect on the principle of innocence until proved guilty.

MILK VENDORS

1674. Hon KIM CHANCE to the Minister representing the Minister for Primary Industry:

In view of the fact that the existing distribution assistance adjustment scheme arrangements to assist former milk vendors who have been dislocated from the industry due to the adoption of deregulation are to cease on 30 June this year, and between 20 and 30 current vendors will be dislocated under the current round of contract allocations, and in consideration of the fact that by 15 June the dairy companies' single product policy will come into effect -

- (1) Is the Minister prepared to extend the DAAS arrangements to allow sufficient time for these vendors to participate in the adjustment process?
- (2) If yes, has he come to a determination on the nature of the DAAS arrangements that will be extended to those vendors?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. I gather that this answer was arrived at after a long period of consideration by the Minister.

- (1)-(2) No.

FORRESTFIELD MARSHALLING YARDS

1675. Hon DERRICK TOMLINSON to the Minister for Transport:

- (1) Is there land surplus to Westrail needs in what was formerly the Forrestfield marshalling yards?
- (2) Is that land currently in the process of rezoning as industrial land?
- (3) Are motor sports, namely a speedway and raceway, compatible with existing Westrail uses of land?
- (4) What would be the effect of motor sports use on the Dundas Road access to the grain terminal?

Hon E.J. CHARLTON replied:

- (1)-(4) That land is being rezoned in consultation with the Shire of Kalamunda and I sincerely thank the member for his professional advice and cooperation. I cannot comment on the future use of the Forrestfield land, which is dependent on the section that those various uses would take place, because no proposal has come to Cabinet. However, Cooperative Bulk Handling's modern facility and Joe White Maltings Ltd are located at the southern end of that area. A proposal is being considered for that adjoining land to be made available to other associated and complementary industries which want to take advantage of that type of operation. I look forward to that being done and expect that motor sports locations will be in an appropriate place.

CORPORATE CREDIT CARDS

1676. Hon MARK NEVILL to the Leader of the House representing the Premier:

Further to the Minister's answer to question 1652 yesterday -

- (1) Which credit providers supply the WA corporate credit card?
- (2) Do Treasurer's Instructions require cardholders to retain the originals of merchants' invoices and receipts to enable proper monitoring and accounting of the cards' use?

- (3) If so, which Treasurer's Instructions require this?
- (4) What costs are incurred by Government if card payments are not made within the time agreed with the credit provider?
- (5) Can the Premier provide a recent estimate of the total of these costs to Government?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. I am advised -

- (1) American Express, National Australia Bank, ANZ Bank.
- (2) Treasurer's Instructions do not specifically require cardholders to retain originals of merchants' invoices and receipts. Section 52 of the Financial Administration and Audit Act requires there to be an accountable officer for each department. Section 53 of that Act provides that the accountable officer is responsible, among other responsibilities, for control over expenditure and development and maintenance of an effective system of internal control. Section 18 of the Act requires the accountable officer to cause to be maintained an accounting manual, which sets out the financial systems and the forms, practices and procedures to be used by officers of the department. Similar provisions apply to statutory authorities.
- (3) Not applicable.
- (4) Interest is paid only when a government agency does not make full payment against its monthly statement or where cash advances are obtained. Interest rates are as follows -

American Express: Late payment fee \$10 or 3 per cent whichever is greater; cash access, 3 per cent of the withdrawal amount.

ANZ Bank: Late payment fee 19.95 per cent per annum; cash withdrawals, 15.45 per cent per annum.

The National Australia Bank: Late payment 15.85 per cent per annum; cash withdrawal 15.85 per cent per annum.
- (5) This information would need to be sought from individual agencies.

ANTI-CORRUPTION COMMISSION

Authorities Subject to Section 14 of ACC Act

HON N.F. MOORE:

I wish to correct an answer to a question without notice asked on Tuesday 9 June. On Tuesday I responded to a question without notice by Hon Mark Nevill about authorities subject to section 14 of the Anti-Corruption Commission Act 1988. In response to that question I also tabled a list of authorities that had not provided a copy of their section 14 report within the stipulated time. I have today been advised by the chief executive officer of the Anti-Corruption Commission that due to a recording error it was incorrectly stated that the Office of the Auditor General was an agency which had not provided its section 14 report within the stipulated period. I can now confirm that the Auditor General wrote to the ACC enclosing his annual section 14 report on 23 June 1997 and the letter was received on 24 June 1997. The report was acknowledged by the ACC by letter dated 3 July 1997.